

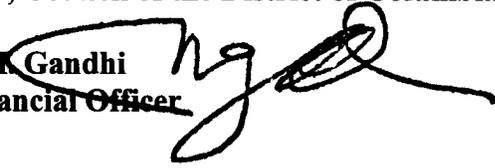
GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Linda W. Cropp
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: SEP 15 2006

SUBJECT: Fiscal Impact Statement: "Health Care Decisions for Persons with
Developmental Disabilities Amendment Act of 2006"

REFERENCE: Draft Bill – No Number Assigned

Conclusion

Funds are not sufficient in the FY 2007 through FY 2010 budget and financial plan to implement the proposed legislation. Additional staff resources will be required. Implementing the proposed legislation will result in unbudgeted expenditures of approximately \$275,000 in FY 2007 and \$1,155,000 for the period of FY 2007 through FY 2010.

Background

This proposed legislation would establish a process for qualified individuals to make decisions on behalf, and in the best interest, of developmentally disabled individuals; would create and implement a process through which the Superior Court of the District of Columbia may appoint a health-care guardian; and would establish a process to require informed consent for psychotropic medications. The legislation would require the administration of such medications only when accompanied by a behavioral plan and after receiving approval from an independent panel appointed by the Mental Retardation and Developmental Disabilities Administration (MRDDA). The proposed legislation also would require MRDDA to initiate and complete a psychotropic medication review for all MRDDA customers within one year.

In addition, the proposed legislation stipulates that it shall be the policy of the District government to ensure that all persons who become incapable of making or communicating health-care decisions for themselves have available health-care decision-makers, and requires the

MRDDA Administrator to issue by November 1 of each year an annual plan describing how the agency will comply with this policy. The legislation requires quarterly reports on substituted consent activities beginning October 15, 2006 until October 2008.

The proposed legislation would supercede D.C. Law 16-46, the "Health-Care Decisions for Persons with Developmental Disabilities Temporary Amendment Act of 2005" which expires on September 22, 2006.

Financial Plan Impact

Funds are not sufficient in the FY 2007 through FY 2010 budget and financial plan to implement the proposed legislation. The independent panel provision of the bill would require the services of three FTEs, one of whom could be provided through MRDDA resources. Two physician FTEs would result in unbudgeted costs as shown in the table below. However, MRDDA may seek to contract for these services instead of adding employees.

Figure 1.

| Estimated Local Expenditure for PS Expenditures | | | | |
|--|----------------|----------------|----------------|----------------------|
| (S in 000s) | | | | |
| FY 2007 | FY 2008 | FY 2009 | FY 2010 | 4 -Year Total |
| \$275 | \$285 | \$290 | \$305 | \$1,155 |