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**SF 426** – Dependent Adult Abuse, Personal Degradation (LSB1749SV)  
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Fiscal Note Version – New (Same as Fiscal Note for HF 569)

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**Description**

**Senate File 426** adds personal degradation as a form of dependent adult abuse by a caretaker regulated by the Department of Human Services (DHS). The Bill defines personal degradation as a willful act or statement by a caretaker intended to shame, degrade, humiliate, or otherwise harm a dependent adult's personal dignity, or a willful act or statement by a caretaker where the caretaker knew or reasonably should have known the act or statement would shame, degrade, humiliate, or otherwise harm the dependent adult's personal dignity. This would include the taking, transmission, or display of an electronic image of a dependent adult by a caretaker.

The Bill makes an exception for electronic images taken for the purpose of reporting dependent adult abuse, for the purpose of treatment or diagnosis, or as part of an ongoing investigation. The Bill also makes an exception for electronic images taken by a caretaker in accordance with the confidentiality policy and release of information or consent policies of a contractor, employer, or facility or program not regulated by the Department of Inspections and Appeals (DIA).

The Bill establishes dependent adult abuse by personal degradation as a serious misdemeanor.

**Assumptions**

**DHS Computer System Updates:**

- Adding a new category for dependent adult abuse will require one-time updates to the Child Welfare Information System. The DHS will need to add a new allegation category to the allegation screen and adult subject screen, adding additional factors and updating assessment reports, statistical reports, and federal reports with the new abuse category.
- The updates to the Child Welfare Information System will take 200 contract staff hours to complete at an average hourly rate of \$105 per hour.
- The match rate is 50.0% federal and 50.0% State, with all costs occurring in FY 2020.

**Additional DHS Staff:**

- The current annual number of intakes by the DHS is 8,476 and the number of accepted dependent adult abuse cases is 3,856. It is estimated that this Bill would increase intakes by 10.0% in FY 2020 and an additional 10.0% in FY 2021.
- There will be 847 new intakes and 386 new accepted cases in FY 2020 and 932 additional new intakes with 419 of those accepted in FY 2021.
- To maintain current staffing levels, the DHS would require 2.0 full-time equivalent (FTE) Social Worker 3 positions in FY 2020 and 4.0 FTE Social Worker 3 positions in FY 2021.
- The salary for a Social Worker 3 position is \$62,952. That cost is based on the minimum pay for the classification, adjusted to include benefits, FICA, and IPERS. This estimate does not reflect any changes or impact for potential salary adjustments.
- The match rate is 10.62% federal and 89.38% State.

## **Correctional Impact**

The correctional impact of [SF 426](#) cannot be determined. The Bill establishes personal degradation as a serious misdemeanor and the number of convictions cannot be estimated.

**Table 1** below shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; length of stay (LOS) under those supervisions; and supervision marginal costs per day for all serious misdemeanors. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 8, 2019, for information related to the correctional system.

**Table 1 — Sentencing Estimates and LOS**

<b>Conviction Offense Class</b>	<b>Percent to Prison</b>	<b>FY 18 Avg Length of Stay Prison (months)</b>	<b>FY 18 Marginal Cost/Day</b>	<b>Percent to Probation</b>	<b>FY 18 Avg Length of Stay Probation (months)</b>	<b>FY 18 Avg Cost/Day Probation</b>	<b>Percent to CBC</b>	<b>FY 18 Marginal CBC Cost/Day</b>	<b>FY 18 Avg Length of Stay Parole (months)</b>	<b>FY 18 Marginal Cost/Day Parole</b>	<b>Percent to County Jail</b>	<b>Marginal Cost/Day</b>
Serious Misdemeanor	2.0%	6.4	\$19.93	60.0%	13.1	\$5.38	1.0%	\$11.85	6.8	\$5.38	70.0%	\$50.00

## **Minority Impact**

The minority impact of [SF 426](#) is unknown. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 7, 2019, for information related to minorities in the criminal justice system.

## **Fiscal Impact**

[Senate File 426](#) is estimated to increase the DHS annual state operating costs by \$123,000 in FY 2020 and \$225,000 in FY 2021 and subsequent years. The increase for FY 2020 includes \$10,500 in one-time upgrade costs to the Child Welfare Information System.

## **Sources**

Department of Human Services  
Criminal and Juvenile Justice Planning Division, Department of Human Rights

/s/ Holly M. Lyons

March 5, 2019

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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