

Hearing: November 19, 1992
Claim: CSM-4393
Staff: Ellen L. O'Connor
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PROPOSED STATEWIDE COST ESTIMATE
Government Code Section 27491.41
Chapter 955, Statutes of 1989
Protocols Developed by Department of Health Services
Sudden Infant Death Syndrome Autopsies

This proposed statewide cost estimate is for Government Code section 27491.41 which was added by Chapter 955, Statutes of 1989, to require counties to conduct autopsies, as specified, on infants who die suddenly and unexpectedly, and to use any autopsy protocol that is established by the Department of Health Services in accordance with section 27491.41, Chapter 955, Statutes of 1989. Future DHS standardized autopsy protocols would be reflected in amendments to the parameters and guidelines upon Commission approval.

This proposed statewide cost estimate reimburses counties for costs incurred in fiscal years 1990-91 through 1993-94.

Staff recommends, with the concurrence of the Department of Finance, that the Commission adopt this proposed statewide cost estimate in the amount of \$5,312,000 for the costs associated with complying with the provisions set forth in Government Code section 27491.41, Chapter 955, Statutes of 1989, for fiscal years 1990-91 through 1993-94.

Claimant

County of Shasta

Chronology

- 1/28/91 County of Shasta files test claim with the Commission on State Mandates (Commission)
- 1/30/91 Amended test claim filed
- 2/8/91 Further amended test claim filed
- 7/25/91 Commission approves test claim

8/22/91 Commission adopts statement of decision

1/23/92 Commission approves parameters and
guidelines

Summary of Mandate

Under Government Code section 27491.41, Chapter 955, Statutes of 1989, (Chapter 955/89), counties are required to conduct autopsies on infants who die suddenly and unexpectedly, as specified, and to use the autopsy protocol established by the Department of Health Services in accordance with Government Code section 27491.41. Future standardized autopsy protocols would be reflected in amendments to the parameters and guidelines upon Commission approval.

Departmental Recommendations

The Department of Finance (DOF) recommended revision of the proposed statewide cost estimate which was distributed May 20, 1992. Points suggested by DOF: request additional data on training costs; base statewide cost estimate on population represented in reporting counties; expand title of claim to include the word "autopsies." DOF states that the revised estimate appears reasonable. (Attachment B)

Staff Analysis

In developing this statewide cost estimate, staff mailed out surveys and parameters and guidelines to all 58 counties. (Attachment C)

Staff received survey results from 23 counties, representing 88 percent of the statewide population total, and stating an estimated cost of \$4,674,601 for the fiscal years 1990-91 through 1993-94.

At the recommendation of DOF, staff reviewed the issue of widely varying training costs provided by the 23 reporting counties. As was recognized in the first review of these costs, there has been great variance in the experience of counties setting up programs to meet the standards of Chapter 955/89. For example, counties, regardless of size, have had different standards of staff training prior to the enactment of this statute. Also,

some counties had already taken advantage of pertinent training provided by a consultant who was paid by the Department of Health Services, thereby avoiding or lessening training costs. In accordance with DOF's recommendation, staff revised the method by which the counties response rate was represented. Rather than stating that 23 counties represent 40 percent of the state's counties, DOF suggested that the population of those counties be viewed as representing 88 percent of California's total population.

In its revised statewide cost estimate, staff has increased the reported costs by an additional 12 percent to provide a figure of 100 percent of the estimated statewide cost for this mandated program: \$5,312,046 (unrounded) for fiscal years 1990-91 through 1993-94. Staff assumed that the costs reported by the responding counties were indicative of costs reimbursable under the parameters and guidelines.

Staff would note that in response to DOF's final suggestion, the title of this claim has been changed to include the word "autopsies," in order to avoid any confusion with a currently-funded mandated program under Chapter 454, Statutes of 1974.

Staff Recommendation

Staff recommends the Commission adopt this proposed statewide cost estimate (Attachment A) in the amount of \$5,312,000 for complying with the program provisions of Government Code section 27491.41, Chapter 955/89, for fiscal years 1990-91 through 1993-94. Funding for this reimbursable state mandated program will be requested in the Commission's next claims bill.