

HF553 - 1A - Offenders Release from Incarceration

Chief Author: **Erin Koegel**
 Committee: **Transportation Finance and Policy**
 Date Completed: **3/9/2021 7:56:17 PM**
 Lead Agency: **Corrections Dept**
 Other Agencies:
 Public Safety Dept

| State Fiscal Impact | Yes | No |
|---------------------------|-----|----|
| Expenditures | X | |
| Fee/Departmental Earnings | | X |
| Tax Revenue | | X |
| Information Technology | X | |
| Local Fiscal Impact | | X |

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

| State Cost (Savings) | Biennium | | | Biennium | | |
|-------------------------|----------------------|-----------|------------|-----------|-----------|-----------|
| | Dollars in Thousands | FY2021 | FY2022 | FY2023 | FY2024 | FY2025 |
| Corrections Dept | | | | | | |
| General Fund | - | 52 | 48 | 48 | 48 | 48 |
| State Total | | | | | | |
| General Fund | - | 52 | 48 | 48 | 48 | 48 |
| Total | - | 52 | 48 | 48 | 48 | 48 |
| Biennial Total | | | 100 | | | 96 |

| Full Time Equivalent Positions (FTE) | Biennium | | | Biennium | |
|--------------------------------------|----------|--------|--------|----------|--------|
| | FY2021 | FY2022 | FY2023 | FY2024 | FY2025 |
| Corrections Dept | | | | | |
| General Fund | - | - | - | - | - |
| Total | - | - | - | - | - |

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Maren Bardal **Date:** 3/9/2021 7:56:17 PM
Phone: 651-284-6429 **Email:** maren.bardal@lbo.leg.mn

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

| State Cost (Savings) = 1-2 | | Biennium | | | Biennium | |
|--|-----------------------|-----------------|---------------|---------------|-----------------|---------------|
| Dollars in Thousands | | FY2021 | FY2022 | FY2023 | FY2024 | FY2025 |
| Corrections Dept | | | | | | |
| General Fund | - | 52 | 48 | 48 | 48 | 48 |
| Total | - | 52 | 48 | 48 | 48 | 48 |
| | Biennial Total | | 100 | | | 96 |
| 1 - Expenditures, Absorbed Costs*, Transfers Out* | | | | | | |
| Corrections Dept | | | | | | |
| General Fund | - | 52 | 48 | 48 | 48 | 48 |
| Total | - | 52 | 48 | 48 | 48 | 48 |
| | Biennial Total | | 100 | | | 96 |
| 2 - Revenues, Transfers In* | | | | | | |
| Corrections Dept | | | | | | |
| General Fund | - | - | - | - | - | - |
| Total | - | - | - | - | - | - |
| | Biennial Total | | - | | | - |

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|---------------------------|-----|----|
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| Fee/Departmental Earnings | | X |
| Tax Revenue | | X |
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|--------------------------------------|----------|--------|--------|----------|--------|
| | FY2021 | FY2022 | FY2023 | FY2024 | FY2025 |
| General Fund | - | - | - | - | - |
| Total | - | - | - | - | - |

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Maren Bardal **Date:** 3/3/2021 8:06:07 AM
Phone: 651-284-6429 **Email:** maren.bardal@lbo.leg.mn

State Cost (Savings) Calculation Details

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| General Fund | - | 52 | 48 | 48 | 48 | 48 |
| Total | - | 52 | 48 | 48 | 48 | 48 |
| Biennial Total | | | 100 | | | 96 |
| 2 - Revenues, Transfers In* | | | | | | |
| General Fund | - | - | - | - | - | - |
| Total | - | - | - | - | - | - |
| Biennial Total | | | - | | | - |

Bill Description

The proposed legislation would require certain information, assistance, services and medications be provided to people upon release from prison. It would also provide for identification cards, development and implementation of a homelessness mitigation plan, and annual reporting to the legislature on individuals released to homelessness and those who report experiencing homelessness or a lack of housing stability.

Section 1 of this bill would require a valid Department of Corrections (DOC) or Federal Bureau of Prisons identification card be issued to each applicant as an acceptable form of proof of identity in an application for a State of Minnesota identification card, instruction permit or driver's license.

Section 2:

Subd. 1 through 3 would not apply to people imprisoned for a release violation. Subd. 4 would apply to all persons being released.

Subd. 1 would require certain information be provided to people when they are released from prison including criminal history documents, expungement information, right-to-vote information, a list of career workforce centers in the county where the person will reside and other counties as requested, a record of programs completed while incarcerated, an accounting of court-ordered obligations owed, assistance to obtain a social security card, a medical discharge summary, information on how to obtain a complete medical record at no charge, and general information on the Supplemental Nutrition Assistance Program.

Subd. 2 would require the DOC to assist certain people who are being released in obtaining a copy of the person's birth certificate or a state identification card at no cost to them, upon request from the person. The DOC would be required to inform each person of its obligations required by this subdivision upon intake and again upon initiation of release planning.

Subd. 3 would require the DOC to offer to assist the person being released in completing an application for medical assistance or MinnesotaCare at least 45 day prior to the person's scheduled release date, and provide assistance upon acceptance of the offer.

Subd. 4 would require the DOC to provide each person being released with a one-month supply of any non-narcotic medications that have been prescribed to the person and a prescription for a 30-day supply of these medications that could be refilled twice, notwithstanding any other law to the contrary and to the extent the provision is consistent with clinical guidelines.

Section 3 would require the DOC to develop and implement a homelessness mitigation plan for individuals released from prison, and to submit the plan to the chairs and ranking minority members of the legislative committees having jurisdiction

over criminal justice policy and funding by October 31, 2022. It would also require a report of people released to homelessness and people under supervision who report homelessness or a lack of stable housing. Beginning in 2024 and until 2033, the report would include information on the impact of the homelessness mitigation plan including progress and challenges.

Section 1 of this bill has no effective date, but it is assumed it would be effective July 1, 2021.

Section 2 of this bill would be effective September 1, 2021 except for the requirement to provide a complete copy of the person's medical record at no charge to the person, which would be effective on July 1, 2022.

Section 3 of this bill would be effective July 1, 2021.

Assumptions

Section 1:

The DOC currently issues IDs to all incarcerated people while in prison. The cost to the DOC to provide an identification card upon release that contains the full name, date of birth, and photograph of the person would be minimal.

Section 2:

The DOC currently complies with many of the provisions within Subd. 1 and already provides people being released with related information. It is assumed this bill would codify these activities into law, and the cost to provide any additional information required by this section would be minimal. The DOC is currently preparing to implement an interoperative Electronic Health Records system and since the provision in Subd. 1, paragraph (10) would not be effective until July 1, 2022 the anticipated cost would be minimal.

It is assumed the provisions in Subd. 2 would result in some increase in the number of identification documents requested by incarcerated persons and paid for by the DOC. The DOC currently assists people in obtaining birth certificates or state identification cards. The DOC has historically paid for certain identification documents, and it is assumed that would continue. The DOC has no way to determine what the extent of the increase might be. Expenditures in FY2019 were approximately \$57,000. Assuming a 50% increase, the fiscal impact would be \$28,000 annually.

The DOC already complies with the provisions of Subd. 3. The fiscal impact would be minimal.

It is assumed the provisions within Subd. 4 would result in an additional cost. The DOC currently provides at least a 7-day supply of medications. The total cost dispensed as release medications was \$229,000 in FY2020. Approximately \$149,000 (65% of the costs) was for items where the cost would not change regardless of a 7-day or 30-day supply because the package cannot be broken when it is dispensed (for items such as inhalers, creams, insulin, and injections). Approximately \$80,000 (35% of the cost) could increase since the cost was for oral solid medications that can be dispensed in the amount needed. However, a significant percentage of these medications are currently sent as a 30-day supply. Based on information provided by the DOC's contracted pharmacist the annual cost to prorate dispensings for a 30-day supply, assuming current usage factors and pricing options, would increase by approximately \$20,000.

Section 3:

It is assumed the DOC would contract with a consultant to develop the homelessness mitigation plan required by Subd. 1. It is expected the contractor would facilitate six meetings with internal and external stakeholders, and the plan would be submitted to the legislature by October 31, 2022. The estimated one-time cost would be \$12,000 in FY2022.

The reporting requirements in Subd. 2, paragraph (a) would be integrated within the current responsibilities of our information technology and planning and performance units. Associated costs would be minimal. There may be costs related to the reporting requirements in paragraph (b), but they cannot be estimated until the homelessness mitigation plan is developed.

There are no criminal charges in this bill.

There would be no impact to prison beds or supervision caseloads statewide.

Expenditure and/or Revenue Formula

Estimated Information Technology Costs (\$ in 000s)

| Fiscal Year | 2021 | 2022 | 2023 | 2024 | 2025 |
|------------------------------|------------|-------------|-------------|-------------|-------------|
| Birth Certificates/State IDs | \$0 | \$23 | \$28 | \$28 | \$28 |
| Medications | \$0 | \$17 | \$20 | \$20 | \$20 |
| Homelessness Mitigation Plan | \$0 | \$12 | \$0 | \$0 | \$0 |
| TOTAL | \$0 | \$52 | \$48 | \$48 | \$48 |

Long-Term Fiscal Considerations

Costs would continue into subsequent years. Costs would be higher as the cost of medications increase, or if the need for more expensive medications is higher than anticipated.

There would likely be costs associated with the implementation of the homelessness mitigation plan required by Section 3, and ongoing reporting requirements. Those costs cannot be determined until the plan has been reviewed by the legislature and implementation strategies are determined.

Local Fiscal Impact

There would be no fiscal impact on local correctional resources as a result of this bill.

References/Sources

Department of Corrections staff

Diamond Pharmacy

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Agency Fiscal Note Coordinator Signature: Chris Dodge

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 Agency: **Public Safety Dept**

| State Fiscal Impact | Yes | No |
|----------------------------|-----|----|
| Expenditures | | X |
| Fee/Departmental Earnings | | X |
| Tax Revenue | | X |
| Information Technology | X | |
| Local Fiscal Impact | | |
| | | X |

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| Biennial Total | | | - | | | - |

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|---|----------|--------|--------|----------|--------|--------|
| | | FY2021 | FY2022 | FY2023 | FY2024 | FY2025 |
| Total | - | - | - | - | - | - |

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Laura Cecko **Date:** 3/9/2021 2:21:54 PM
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| Total | - | - | - | - | - | - |
| Biennial Total | | | - | | | - |
| 1 - Expenditures, Absorbed Costs*, Transfers Out* | | | | | | |
| Total | - | - | - | - | - | - |
| Biennial Total | | | - | | | - |
| 2 - Revenues, Transfers In* | | | | | | |
| Total | - | - | - | - | - | - |
| Biennial Total | | | - | | | - |

Bill Description

Allows Minnesota Department of Corrections (DOC) or Federal Bureau of Prisons (FBP) ID cards to be accepted as a secondary ID document for non-compliant identification card, instruction permit, or driver's licenses.

Assumptions

Assume the department will accept identification cards issued by the DOC or FBP as a secondary identification document for non-compliant cards.

Assume photographic identification cards issued from DOC and FBP will only be accepted if they contain: full name, date of birth, photograph, and expiration date.

Assume DOC will continue to fund ID cards for individuals who are incarcerated (lines 3.25-3.28) and will apply to individuals who are still incarcerated and not those who have already been released.

Assume that 40 programming hours will be required in order to allow DOC and FBP ID cards to be accepted as a secondary ID document. Assume that the programming rate is \$200 per hour, at 40 programming hours the total programming cost being \$8,000.

Assume that programming costs will be absorbed under the current maintenance and support contract with FAST Enterprises, at no additional cost to the department.

Assume training and notification will be distributed to program staff and business partners of this change.

Assume an effective date of September 1, 2021.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: Alice Emma Corrie 651-201-7580

Agency Fiscal Note Coordinator Signature: Rita Wurm

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