**151st GENERAL ASSEMBLY**
**FISCAL NOTE**

| | |
|---|---|
| **BILL:** | **HOUSE BILL NO. 82** |
| **SPONSOR:** | **Representative D. Short** |
| **DESCRIPTION:** | **AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE DELAWARE STATE FIRE PREVENTION COMMISSION AND COMMISSION TERMS.** |

**Assumptions:**

1. This Act shall take effect following the signature of the Governor.

2. This Act amends Title 16 of the Delaware Code relating to the jurisdiction of the Delaware State Fire Prevention Commission (Commission).

3. This Act provides the State Fire Prevention Committee with the authority to impose substance abuse evaluation and treatment for Emergency Medical Technicians (EMT) by third party vendors in lieu of imposing discipline upon respondents within the jurisdiction of the Commission. Mandates for services will be facilitated through the Delaware Professionals' Health Monitoring Program for evaluation and treatment (DPHMP).

4. The DPHMP collaborates with the Division of Professional Regulation to support public and workplace safety, assist licensees with substance use and mental health issues, and help keep experienced, trained professionals employed. In order to participate, an administrative fee of $245 per person, per month, for each individual enrolled is required. It is assumed that the Commission will cover the administrative fee. All other costs, including testing and evaluations, will not be covered by the Commission and will be the responsibility of the individual.

5. In Calendar Year 2020, there were six cases for review before the Commission resulting in EMT orders. Of those cases, four may have been eligible for referral to the DPHMP for substance evaluation and treatment rather than disciplinary action.
    a. It is assumed that each individual will require a 12-month enrollment period for evaluation and treatment, resulting a total administrative fee of $2,940 (12 x $245) per individual. It is assumed that the average annual number of referred individuals will remain at four per year, for a total cost of $11,760 (4 x $2,940).

6. This Act also allows the reclassification of an existing Executive Assistant position to the position of Executive Director of the State Fire Prevention Commission. This position will be responsible for the reporting, operations, support, oversight, and management of the Commission. The position will remain in merit status until a time in which it is vacated and will then become an exempt position.

7. The estimated State agency cost for the reclassification is the difference between the current position and new Executive Director position including salary and other employment costs (OEC's). The Executive Director of Veterans Affairs was used for cost comparison purposes with 100% of

paygrade set at $74,065 and an OEC rate of 32.11%. Final determination of compensation will be completed upon review of the position by the Department of Human Resources.

a. Salary and OEC's: $12,689

**Cost:**

| | |
|---|---|
| Fiscal Year 2022: | $24,449 |
| Fiscal Year 2023: | $24,449 |
| Fiscal Year 2024: | $24,449 |

---

Prepared by Victoria Brennan
Office of the Controller General