

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 50  
 () Publish Date: \_\_\_\_\_

Identifier (file name): HB050-DOLWD-WH-03-06-09 Dept. Affected: Labor and Workforce Development  
 Title: Limit Overtime for Registered Nurses RDU: Labor Standard & Safety  
 Component: Wage and Hour  
 Sponsor: Representatives Wilson, Gara, Tuck, Petersen, Lynn, et al  
 Requester: House Health and Social Services Component Number: 345

## Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>							
Personal Services	73.6			73.6	73.6	73.6	73.6
Travel	3.0			3.0	3.0	3.0	3.0
Contractual	18.9			18.9	18.9	18.9	18.9
Supplies	3.8			0.5	0.5	1.8	0.5
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
<b>TOTAL OPERATING</b>	<b>99.3</b>	<b>0.0</b>	<b>96.0</b>	<b>96.0</b>	<b>97.3</b>	<b>96.0</b>	<b>96.0</b>

<b>CAPITAL EXPENDITURES</b>							
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<b>CHANGE IN REVENUES ( )</b>							
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## FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	99.3		96.0	96.0	97.3	96.0	96.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
1157 Worker Safety Account							
<b>TOTAL</b>	<b>99.3</b>	<b>0.0</b>	<b>96.0</b>	<b>96.0</b>	<b>97.3</b>	<b>96.0</b>	<b>96.0</b>

Estimate of any current year (FY2009) cost: None

## POSITIONS

Full-time	1.0		1	1	1	1	1
Part-time							
Temporary							

## ANALYSIS: (Attach a separate page if necessary)

The bill requires the Department of Labor and Workforce Development to investigate and take enforcement action to resolve complaints of unlawful mandatory overtime use and alleged retaliation. Due to the significant number of registered nurses and licensed practical nurses currently licensed in Alaska (approximately 10,000 RN's and 1,000 LPN's), the department anticipates the workload will require at least one full-time Wage and Hour Investigator I position funded with General Funds. Costs include \$73.6 for salary and benefits, \$3.0 for investigation travel, \$18.9 for contractual which includes normal per position costs such as office space, phone, data processing and administrative support and \$5.0 for Department of Law advice and representation, \$0.5 for office supplies and an additional \$3.3 for office furniture and equipment in the first year and an additional \$1.3 for computer equipment replacement in the fourth year.

Prepared by: Grey Mitchell, Director  
 Division: Labor Standard & Safety  
 Approved by: Click Bishop, Commissioner  
 Agency: Department of Labor and Workforce Development

Phone 465-4855  
 Date/Time 3/6/09 1:06 PM  
 Date 3/6/09

# FISCAL NOTE

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB050  
( ) Publish Date: \_\_\_\_\_

Identifier (file name): HB050-DHSS-PH-03-09-09 Dept. Affected: Health & Social Services  
Title: Limit Overtime for Registered Nurses RDU: Alaska Pioneer Homes  
Sponsor: Wilson Component: Pioneers Homes  
Requester: House HSS Component Number: \_\_\_\_\_

## Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	Appropriation Required	Information					
	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>							
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<b>CHANGE IN REVENUES (</b>							
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## FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2009) cost: \_\_\_\_\_

## POSITIONS

Full-time							
Part-time							
Temporary							

## ANALYSIS: (Attach a separate page if necessary)

HB 50 establishes limitations on overtime for Registered Nurses (RNs) in health care facilities, provides penalties for violations, and requires reporting of any overtime, with the overtime designated as voluntary or mandatory by the RN. The intent of HB 50 is to eliminate mandatory overtime for RNs unless the overtime is due to a grave and unforeseen event. Under the bill, use of mandatory overtime in excess of the bill's limitations will result in a report to the Department of Labor.

The division has determined that passage of this bill will have a zero fiscal impact. Situations requiring overtime are adequately addressed by utilizing on-call RNs and requesting voluntary overtime.

Prepared by: Dave Cote, Director Phone 465-5737  
Division: Alaska Pioneer Homes Date/Time 3/9/09 8:00 AM  
Approved by: Alison Elgee, Assistant Commissioner Date 3/9/2009  
DHSS Finance & Management Services

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: **HB050**  
 () Publish Date: \_\_\_\_\_

Identifier (file name): **HB050-DHSS-N-03-09-09** Dept. Affected: **Health & Social Services**  
 Title **Limit Overtime for Registered Nurses** RDU **Public Health**  
 Component **Nursing**  
 Sponsor **Wilson**  
 Requester **House HSS** Component Number \_\_\_\_\_

## Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

Notes below:

	Appropriation Required	Information					
OPERATING EXPENDITURES	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES (</b>								
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## FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2009) cost: \_\_\_\_\_

## POSITIONS

Full-time								
Part-time								
Temporary								

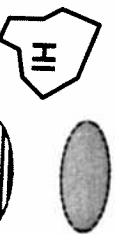
## ANALYSIS: (Attach a separate page if necessary)

This bill sets limitations for nurses working overtime hours beyond the scope of their regular duties. While the language in the bill makes it applicable to public health nurses, it would have a very limited effect on the Division of Public Health Section of Public Health Nursing. Most Public Health Nurses, as salaried employees, are not overtime eligible.

The mandated semi-annual report to the Department of Labor and Workforce Development would typically require no effort because public health nurses rarely work "in excess of a predetermined and regularly scheduled shift that is agreed upon by the nurse and a health care facility." Normal itinerant schedules, even though they often involve more than a 7.5-hour day, are always predetermined and agreed upon. In addition, the bill exempts reporting requirements for unforeseen emergencies requiring extra work. There is no projected fiscal impact on the Section of Public Health Nursing.

Prepared by: Jay Butler, Chief Medical Officer Phone 269-8126  
 Division: Public Health Date/Time 3/9/09 8:00 AM  
 Approved by: Alison Elgee, Assistant Commissioner Date 3/9/2009  
DHSS Finance & Management Services

# PROHIBITION OF MANDATORY OVERTIME



Introduced legislation in 2007-8: (18 states): AK, AZ, CA, DC, FL, IL, MA, MI, MN, MO, NE, NY, OH, PA, VT, WA, WI, WV

MO, NE, NY, OH, PA, VT, WA, WI, WV