

# FISCAL NOTE

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

Fiscal Note Number: 3  
 Bill Version: CSHB 50(HSS)  
 (H) Publish Date: 4/15/09

Identifier (file name): HB050CS(HSS)-DOLWD-WH-04-15-09 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<br>Required | Information |             |             |             |             |             |             |
|-------------------------------|---------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
|                               |                           | FY 2010     | FY 2010     | FY 2011     | FY 2012     | FY 2013     | FY 2014     | FY 2015     |
| <b>OPERATING EXPENDITURES</b> |                           |             |             |             |             |             |             |             |
| Personal Services             | 73.6                      |             | 73.6        | 73.6        | 73.6        | 73.6        | 73.6        | 73.6        |
| Travel                        | 3.0                       |             | 3.0         | 3.0         | 3.0         | 3.0         | 3.0         | 3.0         |
| Contractual                   | 18.9                      |             | 18.9        | 18.9        | 18.9        | 18.9        | 18.9        | 18.9        |
| Supplies                      | 3.8                       |             | 0.5         | 0.5         | 1.8         | 0.5         | 0.5         | 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>96.0</b> |

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| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |  |  |
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| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|--|--|

**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        | 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> | <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 9,000 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 4/15/09 7:57 AM  
 Date 4/15/09

# FISCAL NOTE

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

Fiscal Note Number: 2  
 Bill Version: CSHB 50(HSS)  
 (H) Publish Date: 4/15/09

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.

|                               | Appropriation<br>Required | Information |            |            |            |            |            |            |
|-------------------------------|---------------------------|-------------|------------|------------|------------|------------|------------|------------|
|                               |                           | FY 2010     | FY 2010    | FY 2011    | FY 2012    | FY 2013    | FY 2014    | FY 2015    |
| <b>OPERATING EXPENDITURES</b> |                           |             |            |            |            |            |            |            |
| 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>0.0</b> |

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| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |  |  |
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| <b>CHANGE IN REVENUES (</b> |  |  |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|--|--|

**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> | <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

# FISCAL NOTE

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

Fiscal Note Number: 1  
 Bill Version: CSHB 50(HSS)  
 (H) Publish Date: 4/15/09

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

**Expenditures/Revenues** (Thousands of Dollars)

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

|                               | Appropriation<br>Required | Information |            |            |            |            |            |            |
|-------------------------------|---------------------------|-------------|------------|------------|------------|------------|------------|------------|
|                               |                           | FY 2010     | FY 2010    | FY 2011    | FY 2012    | FY 2013    | FY 2014    | FY 2015    |
| <b>OPERATING EXPENDITURES</b> |                           |             |            |            |            |            |            |            |
| 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>0.0</b> |

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| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |  |  |
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| <b>CHANGE IN REVENUES (</b> |  |  |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|--|--|

**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> | <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