

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1420 - SB 1624**

February 18, 2014

**SUMMARY OF BILL:** Expands, from nine members to a minimum of nine members and a maximum of eighteen members, the Board of Appeals within the Department of Human Resources (DOHR). Requires the Commissioner of DOHR to establish travel compensation for the Board members. Establishes which party has the burden of proof at different levels of the appeals process. Requires DOHR to forward the record of each case to the Board members prior to meeting for review. Specifies that a complainant who does not appear in person waives the right to have the hearing at Step III and the Step II decision becomes final. Once orders are finalized, DOHR will send a copy to the administrative procedures division.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- According to DOHR, the Department revised the billing mechanism to the agencies involved in Board of Appeals cases. Previously, the Department would charge actual costs incurred plus an administrative fee. The Department recommended that agencies be charged a flat rate for each appeal. This recommended changes to the fee structure resulted in reduced charges for departments.
- The number of Board members for each case will not change. DOHR is equalizing travel across all of the Board members so they will not be required to travel as frequently. The Department will continue to reimburse for 12 meetings each year and the total compensation for Board members will not exceed the current reimbursement.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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