

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0324-05  
Bill No.: HCS for SCS for SB's 44 and 59  
Subject: Promotes adoption awareness and expedites adoption of foster children by shortening waiting periods.  
Type: Original  
Date: April 18, 2001

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	(\$89,338)	(\$94,686)	(\$97,525)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$89,338)</b>	<b>(\$94,686)</b>	<b>(\$97,525)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 5 pages.

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## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Social Services - Division of Family Services (DOS-DFS)** stated the Department of Health (DOH) informed the DOS that they will not be requesting the DOS to pay for any adoption awareness materials. The DOS reports that the DOH included \$100,000 in their fiscal note response to pay for a media campaign. The DOH has existing brochures that will need to be amended that will be used as print materials. Therefore, the DOS is reporting a zero fiscal impact.

Officials from the **Office of State Courts Administrator and Office of Administration (COA) - Accounting** and **COA - Administrative Hearing Commission** stated the proposed legislation would have no fiscal impact on their organizations.

Officials from the **Office of Secretary of State (SOS)** stated this bill requires the Division of Maternal, Child and Family Health to promulgate rules to implement the Adoption Awareness Law. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Elementary and Secondary Education could require as many as approximately 22 pages in the Code of State Regulations. For any given rule, roughly half again as many pages are published in the Missouri Register as in the Code because cost statements, fiscal notes and the like are not repeated in the Code. These costs are estimated. The estimated cost of a page in the Missouri Register is \$23.00. The estimated cost of a page in the Code of State Regulations is \$27.00. The actual costs could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn. Therefore, the officials from the SOS estimated the fiscal impact for FY 2002 to be \$1,353 [(22 pgs. X \$27) + (33 pgs. X \$23)].

**Oversight** assumes the SOS could absorb the cost of printing and distributing the regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Health (DOH)** stated the proposed legislation results in the same fiscal impact as SB 59 from the current session, which includes costs for the DOH to, through a contracted source, establish and promote education materials for adoption awareness. The DOH would provide this information and referral sources through the toll-free TEL-LINK telephone number. The DOH would make materials available through the DOH clinics and family planning programs, and privately-funded adoption agencies, and abortion facilities. The DOH may make the education material available for the public through the DOH Internet website. Depending on the size of the campaign, costs would range from \$39,723 - \$197,506 in General Revenue for year one.

ASSUMPTION (continued)

Based on fiscal note responses from the Department of Social Services (DOS) and the Department of Health (DOH) for similar legislation proposed in 2000, **Oversight** assumes the DOH could prepare a pamphlet that addresses adoption and foster care as an alternative to abortion.

**Oversight** assumes, based on the DMCH FY 2001 response, there would be approximately 25,500 mailings to include private adoption agencies, DOH physicians, family planning clinics, DOH clinics, abortion clinics, and any other person or entity that requests such materials. If 50 pamphlets were provided to the 25,500 entities per year, on a black and white tri-fold brochure, the cost for printing would be approximately \$39,398. No new employees were expected to be needed and the costs would be charged to the General Revenue Fund. Printing costs would be approximately \$40,580 and \$41,797 for FY 03 and FY 04, respectively.

**Oversight** assumes the DOH estimated costs of postage for an initial mailing to all doctors, family planning clinics, prenatal clinics, privately funded adoption agencies, Title X agencies, abortion facilities, and any other person or entity who requests such material at \$47,940. Subsequent mailing to the estimated 25,500 entities would result in postage expense of \$54,106 and \$55,729 for fiscal years 2003 and 2004, respectively.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
<b>GENERAL REVENUE FUND</b>			
<u>Costs - Department of Health</u>			
Printing Pamphlets	(\$39,398)	(\$40,580)	(\$41,796)
Postage and Supplies	(\$49,940)	(\$54,106)	(\$55,729)
Total <u>Costs</u> - Department of Health	(\$89,338)	(\$94,686)	(\$97,525)
<b>TOTAL ESTIMATED EFFECT ON GENERAL REVENUE FUND</b>	<b>(\$89,338)</b>	<b>(\$94,686)</b>	<b>(\$97,525)</b>

**- SUBJECT TO APPROPRIATION -**

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### DESCRIPTION

This act promotes adoption awareness and expedites the process of adopting foster children by waiving or shortening waiting periods.

The act outlines the adoption education and promotion duties of the Department of Health in conjunction with the Department of Social Services. The Department of Health must create a toll-free telephone number and make a variety of other materials available with specific information about adoption and related topics. This information will be available through all Department clinics and family planning programs, privately funded adoption agencies, abortion facilities, and through private physicians upon their patients' request.

Currently, the duties of the Division of Family Services (DFS) are outlined in Section 207.020, RSMo. Language is added to allow DFS to extend its custody of a child beyond his or her 18th birthday when a court deems it is necessary. DFS must also diligently seek adoptive homes that reflect racial and ethnic diversity. Current language requiring consideration to be given to a child's cultural, racial, or ethnic background is removed. Thus, the placement of a child should not be hindered on the basis of race, color, or national origin. (Section 453.005).

Current law outlines procedures for petitioning to adopt a child and states that the court shall not deny or delay the placement of a child when an approved family is available. New language adds a provision to expedite the placement of a child for adoption in cases in which the child is already under court custody. (Section 453.010).

Current law also gives permission to foster parents to apply for adoption if they have cared for a child for twelve months or longer. The adoption agency and court must give preference and first consideration to foster parents. New language changes the twelve-month period to nine months. (Section 453.070).

The court is currently required to conduct a hearing during the adoption of a child and to ascertain, among other things, that the child has been in custody of the petitioning adoptive parent for at least six months prior to entry of the decree. New language waives the six-month waiting period for children in court custody when the petitioner is a foster parent. (Section 453.080).

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

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Department of Social Services  
Department of Health  
Office of Secretary of State  
Office of State Courts Administrator  
Office of Administration - Accounting and Administrative Hearing Commission Divisions

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA  
Director

April 18, 2001