

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0409-01
Bill No.: HB 147
Subject: Abortion; Health and Senior Services Department; Health Care
Type: Original
Date: January 6, 2017

Bill Summary: This proposal changes the laws regarding the final disposition of aborted fetal remains.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

§§188.027 and 188.041 - Disposition of fetal remains

Officials from the **Department of Health and Senior Services (DHSS)** provide the following assumptions:

DHSS, Division of Community and Public Health (DCPH)
Section 188.027.1(9) and Section 188.041

DHSS, DCPH, Bureau of Genetics and Healthy Childhood would be required to develop and print two different documents to be distributed to physicians. One document would be provided to the pregnant woman by the physician that informs the woman of her right to determine the final disposition of the remains of the aborted fetus, provides available options for such disposition, and provides information regarding any counseling that is available to a woman after having an abortion. The second document is a form provided by the physician to the pregnant woman to record her decision on the final disposition of the aborted fetus.

DHSS assumed that current staff would create the two different documents and thus no additional staff would need to be hired. Based on the average number of abortions per year in the state, DHSS estimates printing and mailing 5,500 copies of the two documents each year. The cost assumptions for printing and distributing the two documents are as follows:

The cost for state printing to print 5,500 copies of a single-sided document is \$151.50 (5,500 documents x approximately \$0.0275 each = \$151.50). The total cost for printing both the informational document and the form to record the woman's decision would be \$303.00 (\$151.50 per document printing x 2 documents = \$303.00). The calculation for mailing costs assumes the forms would be packaged in lots of 50. The mailing of one package which contains a packet of each document is estimated at \$5.72 for the envelope and shipping. The total shipping cost for the documents would be \$629.20 (110 shipments x \$5.72).

Oversight assumes the DHSS could absorb this minimal cost within current funding levels.

Officials from the **City of Independence Health Department** state that currently a permit is not required for the disposition of aborted fetal remains and the bill does not give details about the permit or its complexity. The abortions in Independence for the past three years are as follows:

ASSUMPTION (continued)

- 2013 - 228 induced abortions
- 2014 - 208 induced abortions
- 2015 - 207 induced abortions

This would mean roughly one (1) permit per business day. Assuming each permit took 30 minutes of staff time and there were 215 permits per year (3 year average), it would cost approximately \$3,085 in administrative staff time to issue the permits [107.5 hrs (215 permits X 30 minutes/permit) @ \$28.70/hour (salary + 37% fringe for current admin. specialist) = \$3,085.25].

Additionally, the health department estimates an additional 10% of that amount, or \$308.50 (\$3,085 X 10%) for supervision, equipment and office supplies for a total **\$3,394** (\$3,085 + \$309 rounded) or **\$15.79** per permit (\$3,394/215 permits).

Officials from the **Columbia/Boone County Department of Public Health and Human Services** state new language in subsection 8 of section 188.041 requires local health departments to issue a permit for the interment of an aborted fetus with a gestational age of under twenty weeks. The language is vague and it is unclear whether a permit fee can be charged to cover costs, so there would be an unknown fiscal impact.

Oversight assumes an unknown impact to local public health agencies.

Officials from the **Department of Natural Resources** and the **Harrison County Health Department & Hospice** assume the proposal would not fiscally impact their agency.

Officials from the following **health departments**: Audrain County Health Unit, Cass County Health Department, Clay County Public Health Center, Cooper County Public Health Center, Henry County Health Center, Hickory County Health Department, Howell County Health Department, Jefferson County Health Department, Knox County Health Department, Linn County Health Department, McDonald County Health Department, Madison County Health Department, Marion County Health Department, Miller County Health Center, Morgan County Health Center, Nodaway County Health Center, Platte County Health Department, Polk County Health Center, Pulaski County Health Center and Home Health Agency, Randolph County Health Department, Reynolds County Health Center, Ripley County Health Center, Shelby County Health Department, the St. Francois County Health Center and the St. Joseph Health Department did not respond to **Oversight's** request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
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**LOCAL POLITICAL SUBDIVISIONS
 - LOCAL PUBLIC HEALTH
 AGENCIES (LPHAs)**

Costs - LPHAs (\$188.041)

Disposition permit costs	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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FISCAL IMPACT - Small Business

§188.041 - The proposal may have a minimal fiscal impact on small business funeral homes that furnish products and services to women who choose to inter fetal remains.

FISCAL DESCRIPTION

The bill requires a physician performing an abortion, or a qualified professional, to first present to the woman printed materials that are developed by the Department of Health and Senior Services and explain that she has the right to determine the final disposition of the remains of the aborted fetus, which options are available for such disposition, and provide information regarding any counseling available to a woman after an abortion. The bill gives a pregnant woman who has an abortion the right to determine the final disposition of the aborted fetus. Once the woman has received the information developed by the department and before the aborted fetus may be discharged from the abortion facility, the woman must inform the abortion facility in writing, on a form developed by the department, of the woman's decision for final disposition of the aborted fetus. If the pregnant woman is a minor, the abortion facility must obtain parental consent regarding the disposition of the aborted fetus unless the minor has received a waiver of parental consent using the judicial bypass procedure under Section 188.028, RSMo.

FISCAL DESCRIPTION (continued)

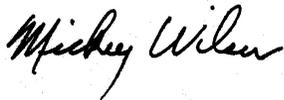
The abortion facility must document the woman's decision concerning the disposition of the aborted fetus in the woman's medical record. If the woman chooses a means for final disposition that is not legally required of an abortion facility then the woman is responsible for the costs related to the final disposition of the aborted fetus.

A pregnant woman may decide to cremate or inter an aborted fetus with a gestational age under 20 weeks and the local health department must issue a permit for the disposition of the aborted fetus to the person in charge of internment of the aborted fetus.

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

Department of Health and Senior Services
Department of Natural Resources
Columbia/Boone County Department of Public Health and
Human Services
Harrison County Health Department & Hospice
City of Independence Health Department



Mickey Wilson, CPA
Director
January 6, 2017

Ross Strobe
Assistant Director
January 6, 2017