

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3377-02
Bill No.: SB 562
Subject: Abortion; Health Care; Health Care Professionals; Health Department; Physicians
Type: Original
Date: January 10, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
General Revenue	(Less than \$105,499)	(Less than \$106,600)	(Less than \$106,600)
Total Estimated Net Effect on General Revenue Fund	(Less than \$105,499)	(Less than \$106,600)	(Less than \$106,600)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Federal*	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

*Income and costs of approximately \$6,000 would net to \$0.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Attorney General (AGO)** state the provision of this proposal does not directly affect the AGO. However, AGO assumes that because this proposal has the potential to be the subject of litigation, costs are unknown, but are likely to be less than \$100,000.

Officials from the **Department of Social Services - Division of Medical Services (DMS)** state this proposal could have a minimal fiscal impact on the DMS.

DMS states the treating physician must inform women seeking abortions after 20 weeks gestation that she has the right to review information provided by the state of Missouri about the capacity of an unborn child to experience pain during an abortion. The Department of Health and Senior Services will provide the printed material with this information.

DMS states after reviewing the information and if the pregnant woman consents, the treating physician will administer the anesthetic or analgesic. DMS assumes since there could be an increase use of anesthetic or analgesic during an abortion, it could have a fiscal impact on the DMS. Medicaid payment is only available for abortions performed when the life of the mother would be endangered if the fetus were carried to term or that the pregnancy is the result of act of rape or incest. Since DMS pays for very few abortions, the fiscal impact is expected to be

ASSUMPTION (continued)

minimal. The amount is unknown, but less than \$10,000.

Officials from the **Department of Health and Senior Services (DOH)** state development of the information could be done with present staff. DOH assumes printing a brochure with the required information would cost approximately 09¢ per copy through the state print shop. DOH states there are approximately 12,000 abortions performed in Missouri over each of the past three years. DOH assumes the cost would be 12,000 brochures × 09¢ = \$1,080 per year.

DOH states a certification form that the pregnant woman would be required to sign would need to be developed and could be developed with present staff. DOH states using the same approximate 12,000 abortions yearly in Missouri, and assuming every pregnant woman considering an abortion would sign the form, the cost for printing and making the form available is 10¢ per copy, or \$1,200.

Mailing a package of 100 forms each is estimated to cost approximately \$4.00 per mailing. Therefore, 12,000 forms/100 = 120 packages for mailing; 120 × \$4.00 = \$480 total postage cost.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
GENERAL REVENUE			
<u>Costs - Office of Attorney General</u>			
Program Costs	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
<u>Costs - Department of Social Services - Division of Medical Services</u>			
Program Costs	(Less than \$3,199)	(Less than \$3,840)	(Less than \$3,840)
<u>Costs - Department of Health and Senior Services</u>			
Program costs	<u>(\$2,300)</u>	<u>(\$2,760)</u>	<u>(\$2,760)</u>
ESTIMATED NET EFFECT TO GENERAL REVENUE	<u>(Less than \$105,499)</u>	<u>(Less than \$106,600)</u>	<u>(Less than \$106,600)</u>

FEDERAL

Income - Department of Social Services -
 Division of Medical Services

Program reimbursements	Less than \$5,131	Less than \$6,160	Less than \$6,160
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Costs - Department of Social Services -
 Division of Medical Services

Program Costs	(Less than <u>\$5,131</u>)	(Less than <u>\$6,160</u>)	(Less than <u>\$6,160</u>)
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**ESTIMATED NET EFFECT TO
 FEDERAL**

\$0 **\$0** **\$0**

FISCAL IMPACT - Local Government

FY 2007 FY 2008 FY 2009
 (10 Mo.)

\$0 **\$0** **\$0**

FISCAL IMPACT - Small Business

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

DESCRIPTION

This proposal establishes the Unborn Child Pain Prevention Act. This proposal requires treating physicians to inform women seeking abortions after 20 weeks gestation that she has the right to review specified information about the capacity of an unborn child to experience pain during an abortion. The treating physicians must also offer the women the option of administering an anesthetic or analgesic to the unborn child. There are exceptions to these requirements in the cases of medical emergencies.

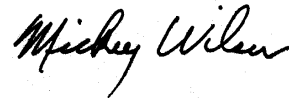
This proposal also removes the definition of "medical emergency" from Section 188.039, and moves it, without any changes, to the definitions in Section 188.015.

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

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SOURCES OF INFORMATION

Office of Attorney General
Department of Social Services
Department of Health and Senior Services



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Director
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