

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0156-01
Bill No.: SB 53
Subject: Children and Minors; Family Law; Vital Statistics; Health Department
Type: Original
Date: April 3, 2009

Bill Summary: This proposal allows adopted persons eighteen and over to obtain copies of their original birth certificate under certain circumstances.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	\$11,277	\$13,485	\$13,436
Total Estimated Net Effect on General Revenue Fund	\$11,277	\$13,485	\$13,436

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Children's Trust Fund	\$15,750	\$18,900	\$18,900
Endowed Cemetery Fund	\$3,150	\$3,780	\$3,780
Missouri Public Health Services Fund	\$15,750	\$18,900	\$18,900
Total Estimated Net Effect on Other State Funds	\$34,650	\$41,580	\$41,580

Numbers within parentheses: () indicate costs or losses. This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator** assume the proposal would have no fiscal impact on their agency.

Officials from the **Department of Social Services** assume the proposal would have no fiscal impact on the Children's Division as the birth certificates are filed with the state registrar.

Official from the **Department of Health and Senior Services** state that currently, the Bureau of Vital Records responds to approximately 10 to 15 inquiries and requests daily regarding access to sealed adoption records. Inquiries and requests for copies of original birth certificates are expected to double from the current amount, with an increase of approximately 3,780 requests annually (15 X average of 21 working days per month X 12 months in a year = 3,780 requests). There is currently one Senior Office Support Assistant - Keyboarding (SOSA) working on adoptions. Two additional SOSAs would be needed to handle the additional requests, redact information from medical history forms, and assist in preliminary investigative activities in locating the birth mother. The additional SOSA positions would assist internal and external customers through written correspondence, in person, and over the telephone regarding adoptions, vital events and related matters. The SOSAs would perform moderate to difficult clerical and technical functions involving a significant amount of public contact. Duties include researching requests related to obtaining original birth records; determining if the mother is living; and locating contact information; processing documents related to births, including adoption decrees (domestic and foreign); legitimating affidavits; amending or creating new certificates as instructed by affidavits or court orders; processing delayed applications; performing manual and computer searches; updating the system mainframe; and issuing copies as requested.

The legislation would also require the Bureau of Vital Records to develop a contact preference form and medical history form to provide to the birth parent(s), upon request. The sealed records are stored at the State Archives. DHSS currently does not have staff dedicated to drive to the State Archives to retrieve and return the sealed records. A one-half Office Support Assistant-Keyboard (OSA) is requested to perform these duties. DHSS estimates three trips per week, utilizing an existing state vehicle, to the State Archives. The OSA will research the location of the records, locate and pull the appropriate sealed records at archives and return the previous sealed records to the proper location. The OSA may also assist the SOSA as time allows in processing applications and duplicating records.

ASSUMPTION (continued)

A Health Program Representative I-II is requested to make phone calls to birth mothers to obtain her consent or denial to release the original birth record. These calls will be sensitive in nature, as the birth mother may not be aware that her birth child is trying to locate her. A high degree of tact, sensitivity, discretion and training will be necessary to perform these duties.

Standard expense and equipment costs are included for additional staff. In addition, approximately \$1,588 would be need for postage (3,780 X \$0.42 per envelope).

Oversight assumes the DHSS could absorb three and one-half FTE. Any significant increase in the workload of the DHSS would be reflected in future budget request.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
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GENERAL REVENUE FUND

Income - Department of Health and Senior Services

Birth Certificate Fees	\$12,600	\$15,120	\$15,120
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Costs - Department of Health and Senior Services

Postage	(\$1,323)	(\$1,635)	(\$1,684)
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ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

	<u>\$11,277</u>	<u>\$13,485</u>	<u>\$13,436</u>
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CHILDREN'S TRUST FUND

Income - Department of Health and Senior Services

Birth Certificate Fees	\$15,750	\$18,900	\$18,900
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ESTIMATED NET EFFECT ON CHILDREN'S TRUST FUND

	<u>\$15,750</u>	<u>\$18,900</u>	<u>\$18,900</u>
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<u>FISCAL IMPACT - State Government</u> (continued)	FY 2010 (10 Mo.)	FY 2011	FY 2012
ENDOWED CEMETERY FUND			
<u>Income</u> - Department of Health and Senior Services			
Birth Certificate Fees	\$3,150	\$3,780	\$3,780
ESTIMATED NET EFFECT ON ENDOWED CEMETERY FUND	<u>\$3,150</u>	<u>\$3,780</u>	<u>\$3,780</u>

MISSOURI PUBLIC HEALTH SERVICES FUND

<u>Income</u> - Department of Health and Senior Services			
Birth Certificate Fees	\$15,750	\$18,900	\$18,900
ESTIMATED NET EFFECT ON MISSOURI PUBLIC HEALTH SERVICES FUND	<u>\$15,750</u>	<u>\$18,900</u>	<u>\$18,900</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<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.

FISCAL DESCRIPTION

This legislation modifies provisions regarding adoption records. The State Registrar shall develop and, upon a birth parent's request, distribute both a contact preference and a medical history form to the birth parent. The contact preference form allows a birth parent to list his or her preference for contact by the adoptee. If a contact preference form is filed with the registrar, a medical history form shall also be so filed. Upon receipt of the forms, the State Registrar shall attach such forms to the original birth certificate of the adopted person.

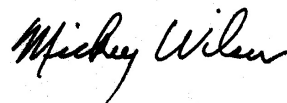
This legislation allows for an adopted person, the adopted person's attorney, or the adopted person's descendants, if the adopted person is deceased, to obtain a copy of the adopted person's original birth certificate from the State Registrar upon written application and proof of identification. The adopted person shall be 18 years of age or older and born in Missouri. The adopted person shall also agree in writing to abide by the birth parent's contact preference, if such preference is included with the adopted person's original birth certificate. The State Registrar shall also provide a medical history form, if such form was completed by the birth parent.

The provisions of the legislation shall not apply to adoptions instituted or completed prior to August 28, 2009, except that a copy of the medical history form, which has had all identifying information redacted, shall be issued to such adopted person. For adoptions completed prior to August 28, 2009, the state registrar shall release the original birth certificate only if the birth mother is deceased. If the birth mother is not deceased, the state registrar shall, within thirty days of application by the adopted person, contact the birth mother via telephone, personally and confidentially, to obtain the birth mother's written consent or denial to release the original birth certificate.

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

Office of the State Courts Administrator
Department of Health and Senior Services
Department of Social Services



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Director
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