

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5137-01
Bill No.: SB 685
Subject: Vital Statistics; Family Law; Health Department
Type: Original
Date: March 27, 2014

Bill Summary: This proposal creates procedures for an adopted person to obtain a copy of an original birth certificate.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
General Revenue	Up to \$10,750	Up to \$10,750	Up to \$10,750
Total Estimated Net Effect on General Revenue Fund	Up to \$10,750	Up to \$10,750	Up to \$10,750

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Children's Trust	Up to \$15,750	Up to \$15,750	Up to \$15,750
Endowed Cemetery	Up to \$3,150	Up to \$3,150	Up to \$3,150
MO Public Health Services	Up to \$15,750	Up to \$15,750	Up to \$15,750
Total Estimated Net Effect on Other State Funds	Up to \$34,650	Up to \$34,650	Up to \$34,650

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
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 2015	FY 2016	FY 2017
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Department of Health and Senior Services (DHSS)** assume this proposal allows an adopted adult to receive a copy of his/her original birth certificate. It also requires the DHSS, State Registrar to develop an application form to provide to adopted persons upon request. The State Registrar is also required to contact the birth mother if living to obtain her consent or denial to release the original birth certificate. Inquiries and requests are anticipated to increase once adoptees are aware that their sealed records are available to them upon written request.

Currently the Bureau of Vital Records responds to approximately 10 to 15 inquiries and requests daily regarding access to sealed adoption records. Inquires 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 (\$25,572 each, annually) would be needed to handle the additional requests 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; 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 Missouri Electronic Vital Records system; and issuing copies as requested.

A Clinical Social Work Specialist 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 specialized training will be necessary to perform these duties.

The sealed records are stored at 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 (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

ASSUMPTION (continued)

sealed records to the proper location. The OSA may also assist the SOSA as time allows in processing applications and duplicating records. Standard expense and equipment costs are included for additional staff. In addition, approximately \$1,850 would be needed for postage (3,780 X \$0.49 per envelope).

Per §193.265, RSMo, the cost per birth certificate statement is \$15 to be distributed as follows: Children's Trust Fund - \$5; General Revenue - \$4; Endowed Cemetery Fund - \$1, and Missouri Public Health Services Fund (MOPHS) - \$5. The increase in revenue for FY 2015 is determined by 3,780 requests X \$15 per request, for a total of \$56,700, adjusted to \$47,250 for a 10-month period in FY 2015. Per 193.265 RSMo, this revenue will be split between four funds (GR = \$12,600, Children's Trust Fund = \$15,750, Endowed Cemetery Fund = \$3,150, and Missouri Public Health Services Fund = \$15,750).

Oversight assumes, because the potential significant increase in the workload is speculative, that 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. In addition, since the potential increase in the workload is considered speculative, Oversight is presenting the revenues that could be received as a result of the increase in requests for birth certificates as “Up to” the amount provided by DHSS.

Officials from the **Department of Social Services (DSS) - Children’s Division (CD)** state the proposed legislation will not fiscally impact the CD as birth certificates are filed with the state registrar, but policy may need to be updated should this bill become law.

Officials from the **Office of Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State’s office is provided with core funding to handle a certain amount of normal activity resulting from each year’s legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes this is a small amount and does not expect that additional funding would be required to meet these costs. However, it is also recognized that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain within its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Officials from the **Joint Committee on Administrative Rules (JCAR)** state the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

Officials from the **Office of State Courts Administrator** assume the proposal would not fiscally impact their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
GENERAL REVENUE FUND			
<u>Income</u> - DHSS (§§193.125 and 193.128)			
Birth certificate fees	Up to \$12,600	Up to \$12,600	Up to \$12,600
<u>Cost</u> - DHSS			
Mailing expenses	<u>(Up to \$1,850)</u>	<u>(Up to \$1,850)</u>	<u>(Up to \$1,850)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>Up to \$10,750</u>	<u>Up to \$10,750</u>	<u>Up to \$10,750</u>
CHILDREN'S TRUST FUND			
<u>Income</u> - DHSS (§§193.125 and 193.128)			
Birth certificate fees	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>
ESTIMATED NET EFFECT ON THE CHILDREN'S TRUST FUND	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>
ENDOWED CEMETERY FUND			
<u>Income</u> - DHSS (§§193.125 and 193.128)			
Birth certificate fees	<u>Up to \$3,150</u>	<u>Up to \$3,150</u>	<u>Up to \$3,150</u>
ESTIMATED NET EFFECT ON THE ENDOWED CEMETERY FUND	<u>Up to \$3,150</u>	<u>Up to \$3,150</u>	<u>Up to \$3,150</u>
MO PUBLIC HEALTH SERVICES FUND			
<u>Income</u> - DHSS (§§193.125 and 193.128)			
Birth certificate fees	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>
ESTIMATED NET EFFECT ON THE MO PUBLIC HEALTH SERVICES FUND	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<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 act allows 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 State Registrar shall release the original birth certificate if the birth mother is deceased or cannot be found. Under these circumstances, the registrar shall inform the adopted person that the birth certificate shall be released five years from the date of the initial application and upon the adopted person's subsequent written application for release of the birth certificate and notification to the state registrar that the five years have passed.

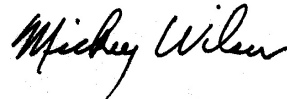
If the birth mother is not deceased, the State Registrar shall, within three months of application by the adopted person, make reasonable efforts to contact the birth mother via telephone, personally and confidentially, to obtain the birth mother's written consent or denial to release the original birth certificate. If the birth mother could not be contacted, the adopted person may re-apply for a copy of the original birth certificate once every two years from the end of the three-month period during which the attempted contact with the birth mother was previously made.

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 State Courts Administrator
Department of Health and Senior Services
Department of Social Services -
Children's Division
Joint Commission on Administrative Rules
Office of Secretary of State



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Director
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