

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2719-01
Bill No.: SB 816
Subject: Details information to be included in physician abortion reports.
Type: Original
Date: January 2, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue Fund	(Unknown less than \$91,833)	(Unknown less than \$100,000)	(Unknown less than \$100,000)
Total Estimated Net Effect on <u>All</u> State Funds	(Unknown less than \$91,833)	(Unknown less than \$100,000)	(Unknown less than \$100,000)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Highways and Transportation, Missouri Consolidated Health Care Plan, Department of Insurance, Missouri Department of Conservation, Office of State Courts Administrator, Missouri Highway Patrol, and Department of Social Services** assume the proposed legislation will not fiscally impact their organizations.

Officials from the **Department of Health and Senior Services (DOH)** stated the Genesis Corporation was contacted regarding a cost estimate to add additional procedures and reasons question to ITOPS software. Additional screen would need to be added to ITOPS. Their estimate was approximately \$8,500. It would be a one-time cost.

Officials from the **Department of Corrections (DOC)** did not respond to Oversight's request for a fiscal impact statement.

Oversight assumes there would be substantial compliance with the provisions of the legislation. However, if persons are convicted under the new provisions of the bill there could be additional costs for supervision and incarceration. Oversight assumes the proposal would create a minimal fiscal impact of less than \$100,000 annually.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
GENERAL REVENUE			
<u>Costs - Department of Health and Senior Services</u>			
Equipment and Expenses - Software Upgrade	<u>(\$8,500)</u>	<u>\$0</u>	<u>\$0</u>
Total <u>Costs</u> - Department of Health and Senior Services	<u>(\$8,500)</u>	<u>\$0</u>	<u>\$0</u>
<u>Costs - Department of Corrections</u>			
Additional commitments and parole supervision	<u>(Unknown less than \$83,333)</u>	<u>(Unknown less than \$100,000)</u>	<u>(Unknown less than \$100,000)</u>

GENERAL REVENUE (continued)

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
Total <u>Costs</u> - Department of Corrections	(Unknown less <u>than \$83,333</u>)	(Unknown less <u>than \$100,000</u>)	(Unknown less <u>than \$100,000</u>)
NET ESTIMATED EFFECT ON GENERAL REVENUE FUND	<u>(Unknown less than \$91,833)</u>	<u>(Unknown less than \$100,000)</u>	<u>(Unknown less than \$100,000)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Minimal fiscal impact to small businesses (physicians) who perform abortions may be expected as a result of the additional administrative duties in this proposal.

DESCRIPTION

This act details information to be included in physician abortion reports.

Section 188.015, RSMo, is modified to include a definition for the Department of Health and language allowing interpretation of the definitions is removed. Currently, Section 188.052, RSMo, requires a physician to submit an abortion report for each abortion he or she performs. New language specifies that the report shall include, but not be limited to, the following:
 1) Information required by federal reports and organizations, such as the Centers for Disease Control and Prevention; 2) Information regarding the type of procedure used to perform the abortion; and 3) Specific reasons the woman sought the abortion.

In addition, a physician must currently submit an individual complication report for post-abortion care. The Department must publish an annual statistical report. New language requires the report to include data on abortions or induced and post-abortion care. The report must contain the gestational age by weekly increments at which abortions are performed. The report must not include any information that would allow the identification of a patient, physician, or hospital or abortion facility.

ASSUMPTION (continued)

Currently, Section 188.070, RSMo, provides for a misdemeanor for violation of confidentiality.

New language increases the penalty to a Class D felony if any person who knowingly violates the confidentiality of records, reports, or documents maintained by the abortion facility or Department of

Health. A new Section 191.655 is also added to allow an action for breach of medical record confidentiality, if not otherwise provided for. Damages, court costs, attorney's fees, and other relief are allowed for negligent, willful, intentional, or reckless violation of such confidentiality.

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 State Courts Administrator
Department of Highways and Transportation
Department of Health and Senior Services
Department of Social Services
Missouri Consolidated Health Care Plan
Department of Insurance
Missouri Department of Conservation
Missouri Highway Patrol

NOT RESPONDING: Department of Corrections



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Director
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