

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3032-01
Bill No.: SB 779
Subject: Health Care; Hospitals; Insurance - Medical; Sunshine Law
Type: Original
Date: February 8, 2002

FISCAL SUMMARY

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

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 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services**, the **Missouri Health Facilities Review Committee**, and the **Missouri Consolidated Health Care Plan** assume this proposal would not fiscally impact their agencies.

Officials from the **Department of Mental Health (DMH)** assume this proposal relates to the open records act and the access to records by certain hospitals of which the DMH does not appear to fall within the definitional boundaries. DMH states this proposal would not have any fiscal impact to DMH.

Department of Health and Senior Services (DOH) officials state upon initial review, this proposal does not appear to affect DOH. However, this proposal could potentially affect DOH's Bureau of Health Facility Regulation, which licenses city, county and district hospitals. Section 197.070 RSMo provides that DOH may deny, suspend or revoke a license when it finds substantial failure to comply with requirements established under Chapter 197, RSMo. This proposal would potentially require DOH to investigate complaints of non-compliance with the records and meetings provisions, and failure to meet the requirements of the proposed section 197.150 could result in licensure action. However, DOH believes that it could absorb these minimal costs. DOH states this legislation would not be expected to significantly impact the operations of the DOH. If the proposal were to substantially impact the DOH programs, then the DOH would request funding through the legislative process.

Officials from the **Attorney General's** office did not respond to our fiscal note request, but in a similar proposal from the previous session assumed this proposal would not fiscally impact their agency.

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

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

DESCRIPTION

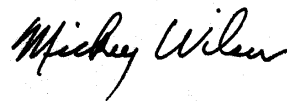
This proposal revises various provisions of the Sunshine Law relating to public hospitals. The proposal provides that the governing body of a public hospital and any related organization may close portions of records and meetings pertaining to specified matters, such as payment amounts and payment methodologies regarding contracts with health carriers, discussion of new health services, and physician contractual compensation. Any closed records shall be disclosed upon subpoena.

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 Mental Health
Department of Health and Senior Services
Department of Social Services
Missouri Consolidated Health Care Plan
Missouri Health Facilities Review Committee

Not responding: Attorney General's Office



Mickey Wilson, CPA
Acting Director
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