

COMMITTEE ON LEGISLATIVE RESEARCH  
 OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4511-03  
Bill No.: Perfected SCS for SB 1137  
Subject: Vital Statistics; Health Dept.  
Type: Original  
Date: March 21, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
MoPHS	\$6,443	\$27,444	\$42,753
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$6,443</b>	<b>\$27,444</b>	<b>\$42,753</b>

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

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

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 6 pages.

FISCAL ANALYSIS

## ASSUMPTION

Officials from the **Office of Administration - Division of Budget and Planning (BAP)** stated the proposed legislation should not result in additional costs or savings to the BAP. However, the proposed legislation would increase total state revenue.

Officials from the **Department of Revenue** and **Office of State Courts Administrator** assume the proposed legislation will not fiscally impact their organizations.

Officials from the **Office of the Secretary of State (SOS)** state this bill allows electronic creation and access to birth and death records. The Department of Health and Senior Services will promulgate rules to implement this bill. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Health and Senior Services could require as many as 40 pages in the *Code of State Regulations*. For any given rule, roughly one-half again as many pages are published in the *Missouri Register* as are published in the Code because cost statements, fiscal notes and notices are not published in the Code. The estimated cost of a page in the *Missouri Register* is \$23.00. The estimated cost of a page in the *Code of State Regulations* is \$27.00. The actual costs could be more or less than the numbers given. The fiscal impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn. The SOS estimates the cost of this legislation to be \$2,460 [(40 pp x \$27) + (60 pp x \$23)].

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Health and Senior Services (DOH)** stated birth and death records currently generate income of \$10 apiece. This fiscal note assumes an increase from \$10 to \$13. The additional \$3 would be deposited into the Missouri Public Health Services (MoPHS) Fund. No costs are reflected to the General Revenue Fund.

Based on 1999 and 2000 birth and death certified and research copies, we estimate income of \$307,854 per year from an average of 102,618 records per year multiplied by \$3. This legislation would make 90 year old birth records and 50 year old death records available. We estimate that we will have to scan and index over 2,000,000 birth and death records by December 31, 2004. We estimate we will be able to scan approximately 40 pages per minute, and each document will take 10 seconds to index. This comes out to over 6,388 total hours. Based on these calculations we estimate ASSUMPTION (continued)

needing one **Office Support Assistant (Keyboard)** to do these activities. Duties will include document preparation, data organization, scanning, indexing, storage, retrieval of paper files, labeling paper files, reviewing documents for completeness, accuracy, and consistency. The

department will be purchasing the web-based software for processing birth and death records. The system will be modified to conform to the state's e-Government standards.

The department will use a document imaging system, which will be purchased next fiscal year for Senior Services applications, for entering and storing images of the vital records documents. However, additional storage for the document imaging system and additional scanners will be needed. Because inflation is built into the lease, we have shown leasing costs static for the three years of this fiscal note. Prior to implementing the web-based system, the department will need to purchase a web-server for Internet access to the birth and death system and a database server to store the birth and death records. A Program Manager (**Computer Info Tech Specialist I**) will be required starting in Year 2 to design the system, monitor the contractor, plan the implementation, oversee the conversion of data from the existing system, and provide on-going support for the system after implementation. In addition, a **Computer Information Technologist III** will be needed to maintain and enhance the system once the contractor has turned it over to the state. We anticipate that to be the end of the third year. The excess balance in this fund can carry over to the next year for future expenditures.

**Oversight** assumes the duties of the proposed legislation could be performed by one Office Support Assistant and a Program Manager/Computer Information Tech Specialist.

**The proposed legislation will result in an increase in Total State Revenue.**

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>MISSOURI PUBLIC HEALTH SERVICES FUND (MoPHS)</b>			
<u>Income - Department of Health and Senior Services</u>			
Birth and death records income	\$307,854	\$310,670	\$324,245

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<u>Costs - Department of Health and Senior Services</u>			
Personal Service Costs (2 FTE)	(\$16,585)	(\$68,837)	(\$70,558)
Fringe Benefits	(\$5,972)	(\$24,788)	(\$25,408)
Equipment and Expense	<u>(\$278,854)</u>	<u>(\$189,601)</u>	<u>(\$185,526)</u>
Total <u>Costs</u> - Department of Health and Senior Services	<u>(\$301,411)</u>	<u>(\$283,226)</u>	<u>(\$281,492)</u>

**NET ESTIMATED EFFECT ON THE MISSOURI PUBLIC HEALTH SERVICES FUND**

**\$6,443                      \$27,444                      \$42,753**

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

FISCAL IMPACT - Small Business

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

DESCRIPTION

This act allows electronic creation and access to birth and death records.

Current law allows the State Registrar to appoint local registrars and deputies and clarifies the duties of deputies by allowing them to carry out some or all of the duties of the local registrar (Section 193.065).

Currently, a birth certificate must be filed for each live birth in this state. This act allows the individual who files the birth certificate to do so either manually or by an approved electronic process. The birth

DESCRIPTION (continued)

certificate of a surrogate child must list the mother and contain the personal data of the woman who physically carried the child. Upon receipt of a court order that another woman is the biological mother, the Department will issue a new certificate stating such information. The original certificate and the court order will not be subject to inspection, except upon court order (Section 193.085).

Technical changes are made in Section 193.087, RSMo. This act modifies Sections 193.115 and

193.125, RSMo, to allow forms either prescribed or approved, thus allowing for electronic filing.

Currently, a death certificate must be filed for each death in this state. This act allows those who provide medical certification to attest to the certificate by signature or by an approved electronic process (Section 193.145).

Current law allows the State Registrar to keep vital records in a variety of formats. This act requires appropriate reproduction standards. This act also allows the release of birth and death records to the state archives after a certain amount of time (Section 193.225).

Currently the inspection of vital records without permission is prohibited. This act allows the disclosure upon request of birth records over ninety years old and death records over fifty years old. The Department must make such records available over the Internet by December 31, 2004 (Section 193.245).

Currently, the fee for copies of vital records is \$10. This act raises the fee to \$13 after August 28, 2002. Allocation of the fee to the Missouri Public Health Services Fund is raised to \$3. Money deposited into the latter Fund must be used to improve the vital records system, provide Internet access to records and Internet application and registration. The Internet birth and death registration must be implemented by December 31, 2005 (Section 193.265).

Current law allows probate to begin in certain circumstances when it relates to the estate of an absent person. This act adds an individual's exposure to a specific peril of death due to an actual or suspected terrorist event to the list of circumstances. Current law also allows a presumption of death after five years and without proof otherwise. This act provides that it will be sufficient to presume a person dead at any time after that person was exposed to a specific peril of death, even if five years have not yet elapsed (Sections 473.697 and 490.620).

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 Administration - Division of Budget and Planning  
Office of State Courts Administrator  
Department of Revenue  
Department of Health and Senior Services  
Office of Secretary of State

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A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Acting Director  
March 21, 2002