

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0842-04
Bill No.: HB 355
Subject: Health Care; Health Department; Health Care Professionals; Vital Statistics
Type: Original
Date: March 24, 2009

Bill Summary: This legislation allows the adult child born as a result of sperm or egg donation to obtain identifying information regarding the donor.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	\$0	Unknown	Unknown
Total Estimated Net Effect on General Revenue Fund	\$0	Unknown	Unknown

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

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Endowed Care Cemetery Fund	Unknown	Unknown	Unknown
MO Public Health Services Fund	Unknown	Unknown	Unknown
Children's Trust Fund	Unknown	Unknown	Unknown
Total Estimated Net Effect on <u>Other</u> State Funds	Unknown	Unknown	Unknown

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

Sections 193.085, 193.135, 453.092, 453.093 & 453.121:

Officials from the **Office of the State Courts Administrator, St. Louis County Department of Health** and the **County of Cass** each assume the proposal would have no fiscal impact on their respective agencies.

Officials from the **Office of the 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 SOS 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 that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes 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 with the 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.

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 Social Services** assume this proposal will have no fiscal impact on the Children's Division. It will require an update to policy and practice in order to be compliant with the new language.

Officials from the **Department of Health and Senior Services** assume this legislation allows adult children born as a result of sperm or egg donation to obtain a copy of their original birth certificate that may contain the name of the donor. The number of births as a result of sperm and egg donation is unknown, and it is difficult to estimate the number of adult children born as a result of sperm or egg donation that might request their original birth certificate and accompanying information. It is assumed that applicable fees would be charged for issuance of the original birth certificates as set forth in Section 193.265.1, RSMo. It is unknown what accompanying information might include and currently there is not a fee structure for issuing any documentation other than what would be considered a vital record. Therefore, it would be difficult to determine fees, if any, for issuing this accompanying information.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
GENERAL REVENUE FUND			
<u>Income</u> - Department of Health and Senior Services			
Increase in Fee Income	Unknown	Unknown	Unknown
<u>Costs</u> - Department of Health and Senior Services			
Program Costs	(Unknown but Less than \$100,000)	\$0	\$0
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$0</u>	<u>Unknown</u>	<u>Unknown</u>
ENDOWED CARE CEMETERY FUND			
<u>Income</u> - Department of Health and Senior Services			
Increase in Fee Income	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON ENDOWED CARE CEMETERY FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
MO PUBLIC HEALTH SERVICES FUND			
<u>Income</u> - Department of Health and Senior Services			
Increase in Fee Income	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON MO PUBLIC HEALTH SERVICES FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

CHILDREN’S TRUST FUND

Income - Department of Health and Senior Services

Increase in Fee Income	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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ESTIMATED NET EFFECT ON CHILDREN’S TRUST FUND

<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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FISCAL IMPACT - Local Government

FY 2010 (10 Mo.)	FY 2011	FY 2012
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<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

Sections 193.085, 193.135, 453.092, 453.093 & 453.121:

The proposed legislation allows an adult child born as a result of a sperm or egg donation to obtain identifying information regarding the donor by requiring the name of the biological parent and the donor parent to be shown on the child’s birth certificate. The State Registrar will file the original birth certificate in the event the non-donor parent requests a new birth certificate. Unless contracted in writing, no legal relationship will exist between the child born as a result of a sperm or egg donation or the child’s parent and the child’s donor. In the event of a birth as a result of a sperm or egg donor, any person or entity required to file a birth certificate must send the Department of Health and Senior Services documentation of the birth including the child’s name, sex, and date and place of birth; the biological parent’s name or other parent’s name; and the donor parent’s name.

An adult child of a sperm or egg donation made prior to January 1, 2010, can make a written request to the circuit court in the county in which he or she resides to secure and disclose identifying information of his or her donor parent. Donor parents can register with the Children’s Division within the Department of Social Services if they choose to allow a child to obtain his or

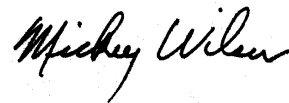
FISCAL DESCRIPTION (continued)

her identifying information. Any adult child born as a result of a sperm or egg donation will be subject to the same requirements as an adopted child when seeking identifying or non-identifying information regarding his or her donor parent. Children born as a result of a sperm or egg donation made after January 1, 2010, can receive a copy of his or her original birth certificate indicating his or her donor's identifying and medical history information from the State Registrar and the donation facility.

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
Office of the Secretary of State
County of Cass
St. Louis County Department of Health



Mickey Wilson, CPA
Director
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