

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1068-02
Bill No.: HB 602
Subject: Abortion; Hospitals; Health and Senior Services Department; Health Care;
Employees - Employers
Type: Original
Date: February 13, 2017

Bill Summary: This proposal changes the laws regarding abortion.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
General Revenue*	\$0	\$0	\$0
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

* Fees collected and costs incurred are unknown, but net to \$0.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Health and Senior Services (DHSS)** provide the response for the **Office of Administration, Information Technology Services Division (OA, ITSD)/DHSS**. A one-time additional IT cost in FY18 of \$8,100 to implement changes to the individual abortion report form and the mainframe ITOP (Induced Termination of Pregnancy) application is required. The additional cost will also include costs to create a new data entry, storage and reporting system for the required fetal organ and tissue reports and the location of final disposition reports. No on-going costs are anticipated.

Oversight assume the DHSS can absorb these minimal IT costs within existing funding levels.

Oversight notes provisions in 188.047.7 provide that the DHSS shall establish a fee for each abortion performed to be imposed on the abortion facility or hospital in which the abortion was performed to cover the reasonable costs of implementing the provisions of the section. Although the fees collected are unknown, the fee to be established is to cover the costs of the department. Therefore, Oversight assumes the net fiscal impact will be zero. Oversight assumes the fees and costs will be to the General Revenue Fund.

Officials from the **Office of Attorney General (AGO)** assume any potential costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in referrals.

Officials from the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Missouri Office of Prosecution Services**, the **Office of State Courts Administrator** and the **Office of State Public Defender** each assume the proposal would not fiscally impact their respective agencies.

Officials from the following **hospitals**: Barton County Memorial Hospital, Bates County Memorial Hospital, Cass Regional Medical Center, Cedar County Memorial Hospital, Cooper County Hospital, Excelsior Springs Hospital, Golden Valley Memorial Hospital, Hermann Area District Hospital, Samaritan Hospital, Putnam County Memorial Hospital and Washington County Memorial Hospital did not respond to **Oversight's** request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
GENERAL REVENUE FUND			
<u>Income</u> - DHSS (\$188.047)			
Fees for abortions performed	Unknown	Unknown	Unknown
<u>Costs</u> - DHSS (§§188.047 and 188.052)			
Abortion report reconciliation costs	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<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

REPORTS REQUIRED AFTER AN ABORTION

Currently, only a representative sample of tissue removed at the time of abortion must be sent to a pathologist. The bill requires all tissue removed at the abortion to be sent. The tissue report from the pathologist must include the estimation of the gestational age of the fetal remains; whether all tissue and products of conception were received that would be common for a specimen of such estimated gestational age; if the pathologist finds that all tissue and products of conception were not received, what portion of the tissue and products of conception were not received; the name and address of the entity where the evaluation was conducted, and the date the tissue and products of conception were remitted to be disposed and the location of such disposal. The abortion report completed by the attending physician must include the physician's estimation of the gestational age of the fetal remains; whether all tissue and products of conception were removed that would be common for a specimen of such estimated gestational age; and if the physician finds that all tissue and products of conception were not removed, what portion of the tissue and products of conception were not removed. The bill requires the FISCAL

DESCRIPTION (continued)

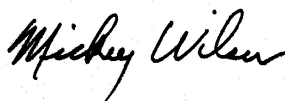
Department of Health and Senior Services to establish a fee to be imposed on a facility or hospital for each abortion performed to cover reasonable costs of implementing these provisions (Sections 188.047 and 188.052).

Each fetal tissue specimen must be given a unique identification number to allow the specimen to be tracked from the abortion facility or hospital where the abortion was performed to the pathology lab and its final disposition location. A report must be created and submitted as specified in the bill and must document the date the specimen was collected, transported, received, and disposed, if applicable. The department must reconcile each notice of abortion with its corresponding pathology report. If the department does not receive both reports, an investigation must be conducted and if findings show that the facility where the abortion was performed is not in compliance with these provisions, the department must consider such noncompliance a deficiency requiring an unscheduled inspection of the facility to ensure remediation and if there is no remediation such facility's or hospital's license must be suspended for at least a year. All reports and information received by the department under these provisions must be included in an annual report to the General Assembly.

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 Attorney General
Department of Health and Senior Services
Department of Natural Resources
Department of Corrections
Department of Labor and Industrial Relations
Missouri Office of Prosecution Services
Office of Administration -
 Information Technology Services Division/DHSS
Office of State Courts Administrator
Office of State Public Defender



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