

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2179-02
Bill No.: HB 1164
Subject: Health, Public
Type: Original
Date: April 5, 2019

Bill Summary: This proposal adds provisions relating to informed consent for vaccinations.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	(\$4,493,470)	(\$4,493,470)	(\$4,493,470)
Total Estimated Net Effect on General Revenue	(\$4,493,470)	(\$4,493,470)	(\$4,493,470)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
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 2020	FY 2021	FY 2022
Local Government	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§167.184 - Information on vaccinations

Officials from the **Department of Health and Senior Services (DHSS)** state §167.184.1(1) and (4) of the proposed legislation are already federally mandated. This information is found on the current Vaccine Information Statement (VIS) and is mandated by law to be given to every individual receiving a vaccine per the National Childhood Vaccine Act of 1986; HR 5546.

This proposal may directly impact Total State Revenue (TSR) as it may cause providers to choose not to administer vaccines. This would result in lost revenue for the providers and creates the potential for providers to move their practices to other jurisdictions. If the provider stays and has a decrease in revenue, this could affect the amount of taxes that are paid to the State of Missouri.

The proposal will have a fiscal impact on DHSS:

Division of Community and Public Health (DCPH):

§167.184.1 of the proposed legislation would require health care providers who administer a vaccine to provide patients the benefits and risks of each vaccine, the vaccine manufacturer's product insert, the Centers for Disease Control and Prevention's (CDC) vaccine excipient and media summary, and information on how to report a vaccine-adverse event. The DHSS assumes that the department will provide all printed documentation to providers who administer vaccines under a DHSS program (Vaccines for Children and Section 317). Otherwise, the department believes providers would cease to administer vaccinations due to the cost burden.

From March 5, 2018 to March 5, 2019, there were 2,874,987 vaccines administered to Missourians and reported to the state immunization registry (ShowMeVax). Not all health care providers who administer vaccines report to ShowMeVax, so this number is under representative of the actual number of vaccines administered across the state. The Vaccine Information Statement (VIS) contains the benefits and risks of each vaccine, as well as, how to report a vaccine-adverse event through the Vaccine Adverse Event Reporting System (VAERS). The CDC's vaccine excipient and media summary is two pages front and back, and the vaccine manufacturer's product insert on average is 25 pages. This would add an, on average, 27 additional pages to each individual vaccine informational packet as proposed by the legislation. The total cost for these documents would be \$2,558,7383 per year based on quotes received from state printing.

§167.184.2 of the proposed legislation would require any informational or educational material for vaccinations provided to parents or guardians by the department to include the same information required by subsection one. From July 1, 2018 to March 4, 2019, DHSS issued over

ASSUMPTION (continued)

225,000 informational and educational materials to Missourians. There are 39 different pieces of informational and educational literature that mention or discuss different vaccines, with some featuring as many as 17 to 19 vaccines, therefore, the information provided would vary by which piece of literature is provided. The total cost for these documents would be \$1,934,731.88 based on quotes received from state printing.

The total estimated cost to DHSS, between both subsections in the proposed §167.184, would amount to \$4,493,470 in total printing costs. These costs cannot be absorbed, and would require general revenue to implement the provisions of the legislation.

In addition to the cost of printing, DHSS staff time will be necessary to determine the appropriate documentation to print for each vaccine administered or mentioned on an informational or educational piece of literature. The following staff time will be needed:

It will require a Health Program Representative (HPR) III two hours per vaccine administered, and one hour per informational and educational document to compile the documents for a quote, and then route for approval. There are 41 vaccines for a total of 82 hours (41 vaccines x 2 hours). There are 45 individual materials for distribution to the public for a total of 45 hours (45 materials x 1 hour per material). The annual average salary for an HPR III is \$42,665, which would result in a one-time cost of \$2,605 ($\$42,665/2,080$ FTE hours per year = \$20.51/ hour x 127 hours staff time (82 hours for vaccine documents +45 hours for individual materials = 127 hours) = \$2,604.77, rounded up).

An Administrative Office Support Assistant (AOSA) would need to create 86 print request documents, along with an Office of Public Information (OPI) Approval Request form. These duties that take, on average, 1 hour per request. The total hours for the print requests and OPI Approval Request forms would be 86 hours. The average annual salary for an AOSA is \$30,983 which would result in a cost of \$1,281 [$\$30,983/2,080$ FTE hours per year = \$14.90/ hour x 86 hours = \$1,281.40, rounded down). After the print requests have been drafted and approved through the approval process by the division, the requests will be sent to the Office of Public Information or the State Printing Center.

The department anticipates being able to absorb these costs. However, until the FY20 budget is final, the department cannot identify specific funding sources.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the costs for printing vaccine related information as provided by DHSS for fiscal note purposes (\$4,493,470). It is assumed the DHSS has sufficient staff and resources to absorb the additional duties related to compiling vaccine information. Therefore, Oversight assumes no fiscal impact for these duties.

ASSUMPTION (continued)

Director's Office, Office of Public Information:

DHSS states §167.184.2 of the proposed legislation would require any informational or educational material for vaccinations provided to parents or guardians by the department to include the same information required by subsection one.

DHSS staff time will be necessary to determine the appropriate documentation to print for each vaccine administered or mentioned on an informational or educational piece of literature. The following staff time will be needed:

The Chief of the Office of Public Information would be required to read through all requests, and based on the length of documents, it would take an estimated two hours per vaccine or educational material for a total of 172 hours (86 request documents x 2 hours). The annual salary for the Chief of the Office of Public Information is \$70,000 which would result in a cost of \$5,787.80 ($\$70,000 / 2,080$ FTE hours per year = \$33.65/hour x 172 hours to review materials = \$5,787.80, rounded up). The department anticipates being able to absorb these costs. However, until the FY20 budget is final, the department cannot identify specific funding sources.

Oversight does not have any information to the contrary. It is assumed the DHSS has sufficient staff and resources to absorb the additional duties related to determining what vaccine information should be printed. Therefore, Oversight assumes no fiscal impact for these duties.

Officials from the **Andrew County Health Department (ACHD)** state this proposal would increase costs for ACHD including printing and personnel time. It is estimated these costs would be between \$5,000 - \$10,000 annually.

Officials from the **Camden County Health Department** assume there could be a significant increase in printing costs (paper, toner, staples, staff time to make copies) if the department is expected to provide the package insert for every vaccine given. Costs are unknown at this time.

Officials from the **Columbia/Boone County Department of Public Health and Human Services (PHHS)** state this bill would result in additional printing costs. In FY 2018, PHHS administered a total of 20,090 immunizations. PHHS assumes there would be 16 pages (front and back) of printing for each vaccine administered (13 pages average for the package insert, 2 pages for the CDC vaccine excipient and media summary, and one page for the vaccine information statement). It is assumed printing costs would be eight cents (\$0.08) per page (double-sided). A five percent (5%) increase in costs per year is also assumed.

Therefore, annual costs to PHHS would be $20,090$ immunizations * 16 pages * 0.08 = \$25,715. FY 2020 costs assume 10 months of costs, thus, FY 2020 costs would be \$21,429; FY 2021 costs would be \$27,001; and FY 2022 costs would be \$28,351.

ASSUMPTION (continued)

Officials from the **Dallas County Health Department (DCHD)** state this bill would result in printing costs for DCHD. In FY 2018, DCHD administered a total of 1,460 immunizations. It is assumed 16 pages (front and back) of printing for each vaccine administered would be required (13 pages average for the package insert, 2 pages for the CDC vaccine excipient and media summary, and one page for the vaccine information statement). A printing cost of eight cents (\$0.08) per page (double-sided) is estimated. The DCHD assumes a 5% increase in costs per year. Thus, annual costs to the DCHD would be $1,460 * 16 * 0.08 = \$1,868.80$. FY 2020 costs would be \$1,557.33 ($\$1,868.80 * 10/12$); FY 2021 costs would be \$1,962.24 ($\$1,868.80 * 1.05$); and FY 2022 costs would be \$2,060.35 ($\$1,962.24 * 1.05$).

Officials from the **Grundy County Health Department (GCHD)** state this bill would result in printing costs for GCHD. In FY 2018, GCHD administered a total of 3,332 immunizations. GCHD estimates 16 pages (front and back) of printing for each vaccine administered would be required (13 pages average for the package insert, 2 pages for the CDC vaccine excipient and media summary, and one page for the vaccine information statement). A printing cost of eight cents (\$0.08) per page (double-sided) is estimated. The GCHD assumes a 5% increase in costs per year. Thus, annual costs to the GCHD would be $3,332 * 16 * 0.08 = \$4,264.96$. FY 2020 costs would be \$3,554.13 ($\$4,264.96 * 10/12$); FY 2021 costs would be \$4,478.21 ($\$4,264.96 * 1.05$); and FY 2022 costs would be \$4,702.12 ($\$4,478.21 * 1.05$).

Officials from the **City of St. Joseph Health Department (SJHD)** state this proposal would result in printing costs for SJHD. In FY 2018, SJHD administered a total of 3,749 immunizations. SJHD estimates 16 pages (front and back) of printing for each vaccine administered would be required (13 pages average for the package insert, 2 pages for the CDC vaccine excipient and media summary, and one page for the vaccine information statement). A printing cost of eight cents (\$0.08) per page (double-sided) is estimated. The SJHD assumes a 5% increase in costs per year. Thus, annual costs to the SJHD would be $3,749 * 16 * 0.08 = \$4,798.72$. FY 2020 costs would be \$3,998.93 ($\$4,798.72 * 10/12$); FY 2021 costs would be \$5,038.66 ($\$4,798.72 * 1.05$); and FY 2022 costs would be \$5,290.59 ($\$5,038.66 * 1.05$).

Oversight contacted all of the Health Departments that responded to the fiscal note request. Each of these counties stated they input vaccine information into the DHSS' ShowMeVax system. Therefore, **Oversight** assumes most county health departments would not incur significant printing costs because the vaccine information will be provided by DHSS. However, health department officials did indicate they may incur storage costs related to storing copies of vaccine informational packets for up to 41 vaccines. As a result, Oversight will present costs as \$0 to (Unknown) to Local Public Health Departments for this proposal.

ASSUMPTION (continued)

Oversight notes the **Department of Elementary and Secondary Education**, the **Department of Insurance, Financial Institutions and Professional Registration** and the **Department of Public Safety, State Emergency Management Agency** have stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these organizations.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
GENERAL REVENUE FUND			
<u>Costs - DHSS (\$167.184)</u>			
Printing costs	<u>(\$4,493,470)</u>	<u>(\$4,493,470)</u>	<u>(\$4,493,470)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$4,493,470)</u>	<u>(\$4,493,470)</u>	<u>(\$4,493,470)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
LOCAL GOVERNMENTS - LOCAL PUBLIC HEALTH DEPARTMENTS			
<u>Costs - Local Public Health Departments (\$167.184)</u>			
Additional storage fees	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS - LOCAL PUBLIC HEALTH DEPARTMENTS	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>

FISCAL IMPACT - Small Business

The proposed legislation could negatively impact small rural health centers and clinics, small primary care physician offices, and small rural pharmacies due to the possibility of increased costs of printing materials for the individual health care providers.

FISCAL DESCRIPTION

This bill requires a health care provider who administers vaccines to provide the following information to a patient before administering a vaccine: (1) Benefits and risks of each vaccine; (2) Vaccine manufacturer's product insert; (3) CDC vaccine excipient and media summary; and (4) How to report a vaccine-adverse event.

Any informational materials the department develops or provides must also include the above information.

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 Elementary and Secondary Education
Department of Health and Senior Services
Department of Insurance, Financial Institutions and Professional Registration
Department of Public Safety -
 State Emergency Management Agency
Andrew County Health Department
Camden County Health Department
Columbia/Boone County Department of Public Health and Human Services
Dallas County Health Department
Grundy County Health Department
City of St. Joseph Health Department

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