

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4611-01
Bill No.: HB 1907
Subject: Children and Minors; Family Law; Vital Statistics; Health Department
Type: Original
Date: April 19, 2010

Bill Summary: This proposal allows adopted persons eighteen and over to obtain copies of their original birth certificate under certain circumstances.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
General Revenue	\$11,214	\$13,407	\$13,356
Total Estimated Net Effect on General Revenue Fund	\$11,214	\$13,407	\$13,356

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Children's Trust Fund	\$15,750	\$18,900	\$18,900
Endowed Cemetery Fund	\$3,150	\$3,780	\$3,780
Missouri Public Health Services Fund	\$15,750	\$18,900	\$18,900
Total Estimated Net Effect on <u>Other</u> State Funds	\$34,650	\$41,580	\$41,580

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
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 2011	FY 2012	FY 2013
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Sections 193.125, 193.128, 193.132 & 193.255:

Officials from the **Office of the State Courts Administrator** assume the proposal would have no fiscal impact on their agency.

Officials from the **Department of Social Services** assume the proposed legislation will not impact the Children's Division, but policy may need to be updated.

Official from the **Department of Health and Senior Services** state that currently, the Bureau of Vital Records responds to approximately 10 to 15 inquiries and requests daily regarding access to sealed adoption records. Inquiries and requests for copies of original birth certificates are expected to double from the current amount, with an increase of approximately 3,780 requests annually (15 X average of 21 working days per month X 12 months in a year = 3,780 requests). There is currently one Senior Office Support Assistant - Keyboarding (SOSA) working on adoptions. Two additional SOSAs would be needed to handle the additional requests, redact information from medical history forms, and assist in preliminary investigative activities in locating the birth mother. The additional SOSA positions would assist internal and external customers through written correspondence, in person, and over the telephone regarding adoptions, vital events and related matters. The SOSAs would perform moderate to difficult clerical and technical functions involving a significant amount of public contact. Duties include researching requests related to obtaining original birth records; determining if the mother is living; and locating contact information; processing documents related to births, including adoption decrees (domestic and foreign); legitimating affidavits; amending or creating new certificates as instructed by affidavits or court orders; processing delayed applications; performing manual and computer searches; updating the system mainframe; and issuing copies as requested.

The legislation would also require the Bureau of Vital Records to develop a contact preference form and medical history form to provide to the birth parent(s), upon request.

The sealed records are stored at the State Archives. DHSS currently does not have staff dedicated to drive to the State Archives to retrieve and return the sealed records. A one-half Office Support Assistant-Keyboard (OSA) is requested to perform these duties. DHSS estimates three trips per week, utilizing an existing state vehicle, to the State Archives. The OSA will research the location of the records, locate and pull the appropriate sealed records at archives and

ASSUMPTION (continued)

return the previous sealed records to the proper location. The OSA may also assist the SOSA as time allows in processing applications and duplicating records.

A Children's Social Worker II is requested to make phone calls to birth mothers to obtain her consent or denial to release the original birth record. These calls will be sensitive in nature, as the birth mother may not be aware that her birth child is trying to locate her. A high degree of tact, sensitivity, discretion and specialized training will be necessary to perform these duties.

Standard expense and equipment costs are included for additional staff. In addition, approximately \$1,663 would be need for postage (3,780 X \$0.44 per envelope).

Oversight assumes, because the potential significant increase in the workload is speculative, that the DHSS could absorb three and one-half FTE. Any significant increase in the workload of the DHSS would be reflected in future budget request.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
GENERAL REVENUE FUND			
<u>Income</u> - Department of Health and Senior Services			
Birth Certificate Fees	\$12,600	\$15,120	\$15,120
<u>Costs</u> - Department of Health and Senior Services			
Postage	<u>(\$1,386)</u>	<u>(\$1,713)</u>	<u>(\$1,764)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$11,214</u>	<u>\$13,407</u>	<u>\$13,356</u>

FISCAL IMPACT - State Government
 (continued)

FY 2011
 (10 Mo.)

FY 2012

FY 2013

CHILDREN'S TRUST FUND

Income - Department of Health and
 Senior Services

Birth Certificate Fees

\$15,750

\$18,900

\$18,900

**ESTIMATED NET EFFECT ON
 CHILDREN'S TRUST FUND**

\$15,750

\$18,900

\$18,900

ENDOWED CEMETERY FUND

Income - Department of Health and
 Senior Services

Birth Certificate Fees

\$3,150

\$3,780

\$3,780

**ESTIMATED NET EFFECT ON
 ENDOWED CEMETERY FUND**

\$3,150

\$3,780

\$3,780

**MISSOURI PUBLIC HEALTH
 SERVICES FUND**

Income - Department of Health and
 Senior Services

Birth Certificate Fees

\$15,750

\$18,900

\$18,900

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

\$15,750

\$18,900

\$18,900

FISCAL IMPACT - Local Government

FY 2011
 (10 Mo.)

FY 2012

FY 2013

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

Sections 193.125, 193.128, 193.132 & 193.255:

This legislation changes the laws regarding adoption records. For adoptions instituted or completed on or after August 28, 2010, the legislation:

- (1) Allows any adopted person who is at least 18 years of age to submit an application to the State Registrar and, upon receiving the application, be issued a copy of his or her original, unaltered birth certificate and adoption records. Currently, the registrar can only open an adoption file if a certified copy of a court order has been issued;
- (2) Allows an adopted person, the adopted person's attorney, or the adopted person's descendants, if the adopted person is deceased, to obtain a copy of the adopted person's original birth certificate from the State Registrar upon written application and the appropriate proof of identification. The adopted person must be at least 18 years of age and have been born in Missouri;
- (3) Requires the State Registrar to develop and, upon request, provide each birth parent with a contact preference form and a medical history form. If a contact preference form is filed with the registrar, a medical history form must also be filed;
- (4) Requires the State Registrar, upon receipt of the completed contact preference and medical history forms, to attach the forms to the original birth certificate of the adopted person. Completed contact preference and medical history forms have the same level of confidentiality as the original birth certificate; and
- (5) Requires the adopted person to agree in writing to abide by the birth parent's preference stated in the contact preference form if it is attached to the adopted person's original birth certificate. The State Registrar must also provide a medical history form if it was completed by the birth parent.

For adoptions instituted or completed prior to August 28, 2010, the legislation:

- (1) Requires a copy of the medical history form, which has had all identifying information redacted, to be issued to the adopted person;

FISCAL DESCRIPTION (continued)

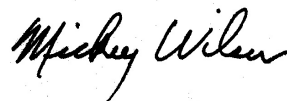
(2) Requires the State Registrar to release the original birth certificate only if the birth mother is deceased. If the birth mother is not deceased, the registrar must, within three months of application by the adopted person, make reasonable efforts to contact the birth mother via telephone, personally and confidentially, to obtain the birth mother's consent or denial to release the original birth certificate. The registrar may charge the actual costs of the search for the birth mother to the adopted person; and

(3) Allows the adopted person, if the birth mother could not be contacted, to re-apply for a copy of his or her original birth certificate within one year from the end of the three-month period during which the attempted contact with the birth mother was previously made. The State Register must not release the certificate of birth until the birth mother submits a subsequent written consent for release.

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



Mickey Wilson, CPA
Director
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