

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5405-01
Bill No.: HB 1379
Subject: Abortion; Health Care; Physicians
Type: Original
Date: April 11, 2014

Bill Summary: This proposal requires an ultrasound to be conducted and reviewed with the pregnant woman prior to the 24-hour waiting period for an abortion.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
General Revenue	(Unknown, could exceed \$30,833)	(Unknown, could exceed \$37,000)	(Unknown, could exceed \$37,000)
Total Estimated Net Effect on General Revenue Fund	(Unknown, could exceed \$30,833)	(Unknown, could exceed \$37,000)	(Unknown, could exceed \$37,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
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 2015	FY 2016	FY 2017
Federal*	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

* Income and expenditures net to \$0.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
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 2015	FY 2016	FY 2017
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services (DSS)** state MO HealthNet only pays for abortions in cases of rape, incest or if the mother's health is at risk, as certified by a physician. However, a first trimester ultrasound is a covered services for MO HealthNet participants. It is unknown how many MO HealthNet participants would receive this service. Therefore, the total cost is unknown but would be less than \$100,000 annually. Currently the Federal/State split for these costs would be approximately 63% Federal/37% State (General Revenue).

Officials from the **Office of Administration (OA) - Commissioner's Office** provide that the Alternatives-to-Abortion (A2A) Program, assigned to the OA, provides services to qualified pregnant women who choose to carry their unborn child to term. Since clients participating in the A2A Program must be at or below 200% of the federal poverty level, it is assumed that the cost of the ultrasound would most likely be covered by Medicaid. If a pregnant woman, after seeing the ultrasound and hearing the unborn child's heartbeat, decides to carry her unborn child to term rather than terminating the pregnancy, the woman could then possibly enroll in the A2A Program, thereby, increasing the number of women applying to receive services. Since it is unknown the additional number of qualified pregnant women who may qualify and choose to enroll in the Alternatives-to-Abortion (A2A) program as a result of this legislative proposal, the cost of the additional services needed under the A2A program are unknown.

Officials from the **Department of Insurance, Financial Institutions and Professional Registration**, the **Department of Health and Senior Services**, the **Missouri Department of Transportation**, the **Missouri Consolidated Health Care Plan**, the **Missouri Department of Conservation**, and the **Department of Public Safety - Missouri State Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Office of 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 Secretary of State's office 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 this is a small amount and does not expect that additional funding would be required to meet these costs. However, it is also recognized 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 within its 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.

ASSUMPTION (continued)

Officials from the **Office of Attorney General** did not respond to **Oversight's** request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
GENERAL REVENUE FUNDS			
<u>Costs - DSS-MHD (§188.027)</u>			
State share of first trimester ultrasounds	(Unknown less than \$30,833)	(Unknown less than \$37,000)	(Unknown less than \$37,000)
<u>Costs - OA (§188.027)</u>			
Additional A2A program expenditures	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(Unknown, could exceed \$30,833)</u>	<u>(Unknown, could exceed \$37,000)</u>	<u>(Unknown, could exceed \$37,000)</u>
FEDERAL FUNDS			
<u>Income - DSS-MHD (§188.027)</u>			
Program reimbursements for ultrasounds	Unknown less than \$52,500	Unknown less than \$63,000	Unknown less than \$63,000
<u>Cost - DSS-MHD (§188.027)</u>			
Program expenditures for ultrasounds	<u>(Unknown less than 52,500)</u>	<u>(Unknown less than \$63,000)</u>	<u>(Unknown less than \$63,000)</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Local Government

FY 2015
(10 Mo.)

FY 2016

FY 2017

\$0

\$0

\$0

FISCAL IMPACT - Small Business

This proposal may have a small administrative impact on small business health care providers as they would have to review the ultrasound with the woman.

FISCAL DESCRIPTION

This proposal requires a physician to conduct and review with the woman an active ultrasound and allow the woman to hear the heartbeat, if it is audible, of the unborn child at least 24 hours prior to an abortion.

If an ultrasound cannot be conducted at the abortion facility, the woman seeking an abortion must be provided with a geographically indexed list of health care providers, facilities, and clinics that perform ultrasounds, including those that offer the services free of charge. She must submit verification from the provider, facility, or clinic that conducted the ultrasound specifying the time and date the ultrasound was conducted, that it was reviewed with the woman, and that she was allowed to view the ultrasound images and hear the heartbeat of the unborn child if the heartbeat is audible. She must also be given a copy of the ultrasound image.

An abortion cannot be performed or induced until the woman obtaining the abortion certifies in writing that an active ultrasound has been conducted and reviewed with her, allowing her to view an image of the unborn child and hear the heartbeat if the heartbeat is audible.

A victim of rape or incest is exempt from these provisions if the victim has reported the crime to the proper law enforcement authority.

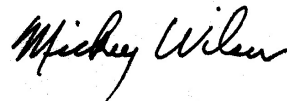
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Insurance, Financial Institutions and Professional Registration
Department of Health and Senior Services
Department of Social Services
Missouri Department of Transportation
Department of Public Safety -
 Missouri State Highway Patrol
Missouri Consolidated Health Care Plan
Missouri Department of Conservation
Office of Administration -
 Commissioner's Office
Office of Secretary of State

Not Responding:

Office of Attorney General



Mickey Wilson, CPA
Director
April 11, 2014

Ross Strobe
Assistant Director
April 11, 2014