

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5500S.04T
Bill No.: Truly Agreed To and Finally Passed SS#2 for HCS for HB 2634
Subject: Abortion; Health Care; Medicaid/MO HealthNet; Department of Social Services;
Public Assistance; Attorney General; Medical Procedures and Personnel
Type: Original
Date: May 29, 2024

Bill Summary: This proposal modifies provisions relating to public funding of abortion facilities and affiliates and provisions relating to MO HealthNet providers.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§188.015, 188.207, 188.220, 208.152, 208.153, 208.164, and 208.659 - Relating to public funding of abortion facilities and affiliates

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal could be absorbed with existing resources. However, the AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

Officials from the **Office of Administration - Budget & Planning (B&P)** state this bill has no direct impact on B&P or on general and total state revenues. The B&P states it will not impact the calculation pursuant to Article X, Section 18(e).

Officials from the **Department of Mental Health, the Department of Commerce and Insurance, the Department of Health and Senior Services, the Office of Administration - Administrative Hearing Commission, the Office of the State Courts Administrator, the Department of Social Services** and the **Newton County Health Department** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other local public health agencies and hospitals were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in Oversight's database is available upon request.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note 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 Secretary of State's office for Administrative Rules is less than \$5,000. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, they also recognize 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 their office can sustain with their core budget. Therefore, they reserve 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.

<u>FISCAL IMPACT – State Government</u>	FY 2025	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025	FY 2026	FY 2027
	<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

The proposed legislation appears to have no direct fiscal impact.

As specified in this bill, no public funds shall be expended to any abortion facility, or affiliate thereof, including for MO HealthNet reimbursement.

Any taxpayer, as well as the Attorney General, shall have standing to bring a cause of action in any court or administrative agency of competent jurisdiction to enforce these provisions, as described in the bill.

The bill modifies existing statute permitting any MO HealthNet participant to obtain MO HealthNet services from any provider of such services in a MO HealthNet provider agreement with the State by requiring the provider to not be disqualified or excluded from serving as a MO HealthNet provider.

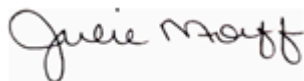
Additionally, this bill requires the Department of Social Services to suspend, revoke, or cancel any contract or provider agreement or refuse to enter into a new contract or provider agreement with any provider when it has been determined that the provider is not qualified to perform the required services because the provider has committed certain offenses specified in the bill, has been found guilty of a pattern of intentional discrimination in the delivery or non-delivery of health care services, or if the provider is an abortion facility or affiliate thereof.

Lastly, the bill prohibits reimbursement to abortion facilities, or affiliates thereof, under the "Uninsured Women's Health Program".

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

Attorney General's Office
Department of Commerce and Insurance
Department of Health and Senior Services
Department of Mental Health
Department of Social Services
Joint Committee on Administrative Rules
Office of Administration
 Budget and Planning
 Administrative Hearing Commission
Office of the Secretary of State
Office of the State Courts Administrator
Newton County Health Department



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May 29, 2024



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May 29, 2024