

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1390H.01I
Bill No.: HB 398
Subject: Health Care; Physicians; Public Health; Physicians; Insurance - Health; Victims of Crime
Type: Original
Date: February 24, 2025

Bill Summary: This proposal modifies provisions relating to health care.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	(\$16,106)	(\$20,390)	(\$21,414)
Total Estimated Net Effect on General Revenue	(\$16,106)	(\$20,390)	(\$21,414)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
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 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
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 2026	FY 2027	FY 2028
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§ 192.2521 - Specialty hospital forensic examinations of victims of sexual offenses

Officials from the **Department of Health and Senior Services (DHSS)** state the proposed legislation exempts a specialty hospital from the provisions of sections 192.2520 and 197.135 if such hospital has a policy for transfer of a victim of a sexual assault to an appropriate hospital with an emergency department. As used in this section, "specialty hospital" means a hospital that has been designated by the Department of Health and Senior Services as something other than a general acute care hospital.

As a result of the proposed legislation, the Division of Regulation and Licensure, Section for Health Standards and Licensure may experience minor additional work in terms of receiving and processing complaints related to the statute.

It is assumed that the Department can absorb the costs of this bill with current resources. However, if the workload significantly increased or other legislation was enacted, additional resources would be requested through the appropriation process.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for DHSS for this section.

§ 210.030 - Provisions relating to blood tests of pregnant women

Officials from the **Department of Health and Senior Services (DHSS)** state § 210.030.1 of the proposed legislation would increase the number of patient samples that the Missouri State Public Health Laboratory would receive for HIV, syphilis, Hepatitis C, and Hepatitis B testing.

Approximately 4.5% of women are pregnant at any one time so this percentage was used on the total number of female samples received for HIV and syphilis testing in 2023. An additional 500-800 samples a year would be tested for all conditions if this legislation passed. The estimated number of pregnant women was used in the calculations for HIV, syphilis, Hepatitis C, and Hepatitis B expenses for both screening and confirmatory costs. Confirmatory numbers were based on current trends that are seen for each test.

Expenses (BOC); Laboratory Supplies (190), \$19,327

The cost estimates are based upon the expected number of samples and cost per test with an applied algorithm for testing and confirmation.

HIV (765 samples * \$6.90 per test + \$216 confirmation testing = \$5,495)

Syphilis (585 samples * \$3.00 per test + \$1,037.30 confirmation testing = \$2,792)

Hepatitis B (500 samples * \$7.52 per test = \$3,760)
Hepatitis C (500 samples * \$10.03 per test + \$2,265 confirmation testing = \$7,280)
Total: \$19,327

FY27 5% Increase:

HIV (765 samples * \$7.25 per test + \$226 confirmation testing = \$5,772)
Syphilis (585 samples * \$3.31 per test + \$1,089 confirmation testing = \$3,025)
Hepatitis B (500 samples * \$7.90 per test = \$3,950)
Hepatitis C (500 samples * \$10.53 per test + \$2,378 confirmation testing = \$7,643)
Total: \$20,390

FY28 5% Increase:

HIV (765 samples * \$7.61 per test + \$237 confirmation testing = \$6,058)
Syphilis (585 samples * \$3.48 per test + \$1,143 confirmation testing = \$3,179)
Hepatitis B (500 samples * \$8.30 per test = \$4,150)
Hepatitis C (500 samples * \$11.06 per test + \$2,497 confirmation testing = \$8,027)
Total: \$21,414

The projected total per year would be \$19,327 in additional reagents and kit costs. The cost of reagents will go up each year with an inflation cost of 5% per year. The Missouri State Public Health Laboratory cannot absorb this cost. The workload for performing the additional testing can be absorbed by current staff.

Oversight does not have information to the contrary. Oversight notes this proposal does not have an emergency clause. Therefore, Oversight will reflect the FY 2026 estimates as provided by the DHSS as \$16,106 ($(\$19,327/12)*10$).

Responses regarding the proposed legislation as a whole

Officials from the **Department of Commerce and Insurance**, the **Department of Social Services**, the **Missouri Consolidated Health Care Plan**, the **Missouri Department of Conservation**, the **Missouri Department of Transportation**, the **Oversight Division**, the **City of Kansas City** 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.

Officials from the **Department of Public Safety (DPS)**, **Missouri Highway Patrol (MHP)** defer to the Missouri Department of Transportation (MODOT)/MSHP Healthcare Board for an impact statement for the potential fiscal impact of this proposal.

Oversight notes DPS/MHP's deferral to the MODOT/MSHP Healthcare Board for a statement of fiscal impact; for fiscal note purposes, Oversight assumes no fiscal impact for DPS/MHP.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, local public health agencies and hospitals were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Costs – DHSS/MSPHL (§210.030)</u> Additional testing supplies p. 3-4	<u>(\$16,106)</u>	<u>(\$20,390)</u>	<u>(\$21,414)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$16,106)</u>	<u>(\$20,390)</u>	<u>(\$21,414)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

Certain small medical and laboratory businesses would be impacted by this proposal. (§ 210.030)

FISCAL DESCRIPTION

Under this act, a specialty hospital, meaning a hospital other than a general acute care hospital, shall not be required to comply with certain statutory provisions relating to forensic examinations of victims of sexual assault if such hospital has in place a policy for the transfer of such victims to an appropriate hospital with an emergency department. (§ 192.2521)

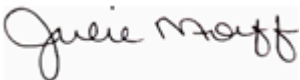
Currently, a physician or other health care provider shall draw and test a pregnant woman's blood at or soon after her first prenatal examination, with her consent, for syphilis, hepatitis B, or other similar diseases. Under this act, the testing of the pregnant woman's blood shall also occur at the twenty-eighth week of her pregnancy. Additionally, the test shall include hepatitis C and HIV. If a mother tests positive for syphilis, hepatitis B, hepatitis C, or HIV, the physician or other health care provider shall treat the mother in accordance with the most recent accepted medical practice.

Current law requires the Department of Health and Senior Services to work in consultation with the Missouri Genetic Disease Advisory Committee to make rules pertaining to these blood tests. This act repeals the requirement to work with the Committee and requires that the tests be approved or accepted by the U.S. Food and Drug Administration. (§ 210.030)

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 Commerce and Insurance
Department of Health and Senior Services
Department of Public Safety, Missouri Highway Patrol
Department of Social Services
Missouri Consolidated Health Care Plan
Missouri Department of Conservation
Missouri Department of Transportation
Oversight Division
Newton County Health Department
City of Kansas City



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