

Fiscal Note Request HB0617, As Introduced

(continued)

- a. FY 2006 $2,300 \times .75 = 1,725 \times \$0.74 = \$1,277$
- b. FY 2007 $2,300 \times .50 = 1,150 \times \$0.74 = \$851$
- 6. The Office of Vital Statistics microfilms all records; the additional cost to microfilm the new certificates will be \$.039 per record for a total cost of \$90 for FY 2006 and FY 2007 ($2,300 \times \$0.039 = \90).
- 7. It is estimated an additional .50 FTE, grade 9 administrative support will be required because of the additional workload due to this bill. This is estimated to cost \$16,237 including salary and benefits for both FY 2006 and FY 2007.
- 8. New employee computer and office equipment for a .50 FTE position is estimated to be \$2,996 in FY 2006.
- 9. The Office of Vital Statistics is funded at 50 percent general funds and 50 percent state special revenue.

FISCAL IMPACT:

	<u>FY 2006</u> <u>Difference</u>	<u>FY 2007</u> <u>Difference</u>
FTE	.50	.50
<u>Expenditures:</u>		
Personal Services	\$16,237	\$16,237
Operating Expenses	<u>\$6,088</u>	<u>\$2,091</u>
TOTAL	\$22,325	\$18,338

Funding of Expenditures:

General Fund (01)	\$11,162	\$9,164
State Special Revenue (02)	<u>\$11,163</u>	<u>\$9,164</u>
TOTAL	\$22,325	\$18,338

Net Impact to Fund Balance (Revenue minus Funding of Expenditures):

General Fund (01)	(\$11,162)	(\$9,164)
State Special Revenue (02)	(\$11,163)	(\$9,164)

TECHNICAL NOTES:

- 1. This law will conflict with 50-20-110(5), which states, “ All reports and documents required by this chapter shall be treated with the confidentiality afforded to medical records, subject to such disclosure as is permitted by law. Statistical data not identifying any individual involved in an abortion shall be made public by the department annually, and the report required by subsection (4) of this section to be filed with the department shall be available for public inspection except insofar as it identifies any individual involved in an abortion. Names and identities of persons submitting to abortion shall remain confidential among medical and medical support personnel directly involved in the abortion and among persons working in the facility where the abortion was performed whose duties include billing the patient or submitting claims to an insurance company, keeping facility records, or processing abortion data required by state law.”
- 2. 50-15-402 MCA requires a person in charge of disposition of the body or fetus to file the death certificate. In this case the abortion facility would most likely be disposing of the fetus and therefore would be

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required to file the fetal death certificate. Since the fetal death certificate requires the names of the parents, and certifying physician and the cause of death information, the identities would be known. This is an apparent conflict with MCA 50-20-110(5) The Montana Abortion Control Act.

3. 50-15-403(2) MCA currently has the person in charge of disposition presenting the fetal death certificate to the physician, advanced practice registered nurse, or coroner for certification of cause of death. With the bill's amendment, the responsibility for medical certification for an aborted fetus switches to "the physician or physician assistant-certified performing the abortion." The sentence following that amendatory language (current language) then requires the person in charge of disposition to "obtain the completed certification of the cause of death from the physician, the advanced practice registered nurse, or the coroner" rather than from the physician or physician assistant-certified.