

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 6, 2003

TO: Honorable Kenny Marchant, Chair, House Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB569 by Berman (Relating to fetal pain prevention; providing penalties.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB569, As Introduced: a negative impact of (\$95,975) through the biennium ending August 31, 2005.

The bill relates to fetal pain prevention, and provides penalties. The bill would require the Department of Health (TDH) to publish print materials with certain information concerning unborn children of 20 weeks gestational age and for each two-week gestational increment afterwards, as specified in the bill. The bill would require TDH to develop and maintain an Internet website to provide this information.

The bill would also require TDH to prepare a reporting form for physicians to report certain information prescribed in the bill and to provide the forms to physicians at the time a physician receives licensure notification to practice in Texas and not later than December 1 of each year. Not later than June 30 of each fiscal year of the biennium, TDH shall issue a public report providing statistics for the previous calendar year compiled from all of the physician reports submitted that year. The bill would allow the Board of Health to alter these dates established in the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$45,506)
2005	(\$50,469)
2006	(\$50,469)
2007	(\$50,469)
2008	(\$50,469)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND</i> 1
2004	(\$45,506)
2005	(\$50,469)
2006	(\$50,469)
2007	(\$50,469)
2008	(\$50,469)

Fiscal Analysis

TDH assumes that the agency would incur cost to implement certain sections of the bill such the cost associated with the preparation and distribution of printed informational materials and the

development and maintenance of an Internet website. TDH also assumes that the agency would incur cost associated with sending out the reminder notices to physicians regarding the reporting requirement.

Methodology

TDH estimates that there are 33,000 physician offices statewide that TDH would provide with informational handouts. The agency estimates it would mail reminder notices of the reporting requirement to 91 physician offices, identified as abortion providers, each fiscal year. TDH indicates that .5 FTEs would be needed to implement the provisions of the bill. The agency assumes a four month start-up period in FY 2004.

TDH estimates total costs of \$45,505 in FY 2004 and \$50,469 in FY 2005-08. Among other things, the cost in FY 2004 include: \$23,415 for preparing and distributing the physician reporting forms and reminder notices; \$5,390 for the development and distribution of the informational handouts; and \$14,125 for salary and benefits for .5 FTE. In each year of FY 2005-2008, costs include \$23,097 for preparing and distributing the physician reporting forms and reminder notices; \$5,049 for the development and distribution of the informational handouts; and \$21,188 for salary and benefits for .5 FTE, among other things.

The Office of the Attorney General indicates that any legal work resulting from passage of the bill would be absorbed with the agency's current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 501 Department of Health

LBB Staff: JK, RR, KF, RM