LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 19, 2007

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB785 by Shapiro (Relating to information related to the performance of an abortion; creating an offense.) ,**Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB785, Committee Report 1st House, Substituted: a negative impact of ($752,387) through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	($517,873)
2009	($234,514)
2010	($235,894)
2011	($237,315)
2012	($238,779)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from *GENERAL REVENUE FUND 1*
2008	($517,873)
2009	($234,514)
2010	($235,894)
2011	($237,315)
2012	($238,779)

Fiscal Year	Change in Number of State Employees from FY 2007
2008	2.0
2009	2.0
2010	2.0
2011	2.0
2012	2.0

Fiscal Analysis

The bill would require a physician to submit a report to the Department of State Health Services (DSHS) on each abortion performed or induced by the physician. The bill would require physicians to submit abortion complication reports to DSHS for illnesses or injuries related to complications from an abortion. DSHS would be required to provide abortion reporting forms and to prepare abortion complication report forms. The bill would require DSHS to create an Internet website for filing abortion complication reports. The bill would require DSHS to issue an annual report on abortions. The bill would require the Texas Medical Board to ensure that abortion complication reports are provided to physicians.

The bill would require the Supreme Court to adopt rules related to judicial bypass reporting. It is assumed the rules could be adopted using the existing resources of the Supreme Court.

The bill would provide for penalties, including fees, for physicians failing to meet the reporting requirements of the bill and would provide for penalties for DSHS failing to issue the required annual report. It is assumed the penalties would not have a significant fiscal impact.

Methodology

DSHS estimates two additional Full-Time-Equivalent (FTE) positions would be needed to meet the requirements of the bill at a cost of $153,423 in General Revenue in fiscal year 2008 and $149,406 in General Revenue in fiscal years 2009-2012 for salaries and other administrative costs. The responsibilities of the additional FTEs would include processing forms, managing the release of information, and ensuring compliance with DSHS and physician reporting requirements.

The Texas Medical Board estimates General Revenue costs to print and distribute abortion complication forms to all physician licensees of $44,660 in fiscal year 2008, $46,000 in fiscal year 2009, $47,380 in fiscal year 2010, $48,801 in fiscal year 2011, and $50,265 in fiscal year 2012.

Technology

DSHS estimates a total technology cost of $319,790 in General Revenue in fiscal year 2008 and $39,108 in General Revenue in fiscal years 2009-2012. This includes a one-time cost of $230,000 in fiscal year 2008 to contract for a software system to track abortion reports (2,300 contract hours at $100 per hour). Also included is $88,310 in fiscal year 2008 and $37,628 in fiscal years 2009-2012 to contract for server operation services and $1,480 per fiscal year for hardware and software costs for the two FTEs.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 537 State Health Services, Department of
LBB Staff: JOB, KJG, PP, SSt