

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3209-02
Bill No.: SCS for SB 594
Subject: Children and Minors; Family Law; Vital Statistics; Health Department
Type: Original
Date: February 11, 2010

Bill Summary: This proposal allows adopted persons eighteen and over to obtain copies of their original birth certificate under certain circumstances.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
General Revenue	\$11,214	\$13,407	\$13,356
Total Estimated Net Effect on General Revenue Fund	\$11,214	\$13,407	\$13,356

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Children's Trust Fund	\$15,750	\$18,900	\$18,900
Endowed Cemetery Fund	\$3,150	\$3,780	\$3,780
Missouri Public Health Services Fund	\$15,750	\$18,900	\$18,900
Total Estimated Net Effect on Other State Funds	\$34,650	\$41,580	\$41,580

Numbers within parentheses: () indicate costs or losses. This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Sections 193.125, 193.128, 193.132 & 193.255:

Officials from the **Office of the State Courts Administrator** assume the proposal would have no fiscal impact on their agency.

Officials from the **Department of Social Services** assume the proposal would have no fiscal impact on the Children's Division as the birth certificates are filed with the state registrar.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS 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 the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes 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 the office can sustain with the core budget. Therefore, the SOS reserves 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.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Official from the **Department of Health and Senior Services** state that currently, the Bureau of Vital Records responds to approximately 10 to 15 inquiries and requests daily regarding access to sealed adoption records. Inquiries and requests for copies of original birth certificates are expected to double from the current amount, with an increase of approximately 3,780 requests annually (15 X average of 21 working days per month X 12 months in a year = 3,780 requests). There is currently one Senior Office Support Assistant - Keyboarding (SOSA) working on adoptions. Two additional SOSAs would be needed to handle the additional requests, redact information from medical history forms, and assist in preliminary investigative activities in locating the birth mother. The additional SOSA positions would assist internal and external customers through written correspondence, in person, and over the telephone regarding

ASSUMPTION (continued)

adoptions, vital events and related matters. The SOSAs would perform moderate to difficult clerical and technical functions involving a significant amount of public contact. Duties include researching requests related to obtaining original birth records; determining if the mother is living; and locating contact information; processing documents related to births, including adoption decrees (domestic and foreign); legitimating affidavits; amending or creating new certificates as instructed by affidavits or court orders; processing delayed applications; performing manual and computer searches; updating the system mainframe; and issuing copies as requested.

The legislation would also require the Bureau of Vital Records to develop a contact preference form and medical history form to provide to the birth parent(s), upon request.

The sealed records are stored at the State Archives. DHSS currently does not have staff dedicated to drive to the State Archives to retrieve and return the sealed records. A one-half Office Support Assistant-KeyBoard (OSA) is requested to perform these duties. DHSS estimates three trips per week, utilizing an existing state vehicle, to the State Archives. The OSA will research the location of the records, locate and pull the appropriate sealed records at archives and return the previous sealed records to the proper location. The OSA may also assist the SOSA as time allows in processing applications and duplicating records.

A Clinical Social Work Specialist is requested to make phone calls to birth mothers to obtain her consent or denial to release the original birth record. These calls will be sensitive in nature, as the birth mother may not be aware that her birth child is trying to locate her. A high degree of tact, sensitivity, discretion and specialized training will be necessary to perform these duties.

Standard expense and equipment costs are included for additional staff. In addition, approximately \$1,663 would be need for postage (3,780 X \$0.44 per envelope).

Oversight assumes, because the potential significant increase in the workload is speculative, that the DHSS could absorb three and one-half FTE. Any significant increase in the workload of the DHSS would be reflected in future budget request.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
 GENERAL REVENUE FUND			
<u>Income</u> - Department of Health and Senior Services			
Birth Certificate Fees	\$12,600	\$15,120	\$15,120
 <u>Costs</u> - Department of Health and Senior Services			
Postage	(<u>\$1,386</u>)	(<u>\$1,713</u>)	(<u>\$1,764</u>)
 ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	 <u>\$11,214</u>	 <u>\$13,407</u>	 <u>\$13,356</u>
 CHILDREN'S TRUST FUND			
<u>Income</u> - Department of Health and Senior Services			
Birth Certificate Fees	\$15,750	\$18,900	\$18,900
 ESTIMATED NET EFFECT ON CHILDREN'S TRUST FUND	 <u>\$15,750</u>	 <u>\$18,900</u>	 <u>\$18,900</u>
 ENDOWED CEMETERY FUND			
<u>Income</u> - Department of Health and Senior Services			
Birth Certificate Fees	\$3,150	\$3,780	\$3,780
 ESTIMATED NET EFFECT ON ENDOWED CEMETERY FUND	 <u>\$3,150</u>	 <u>\$3,780</u>	 <u>\$3,780</u>

FISCAL IMPACT - State Government FY 2011 FY 2012 FY 2013
 (continued) (10 Mo.)

MISSOURI PUBLIC HEALTH SERVICES FUND

Income - Department of Health and Senior Services

Birth Certificate Fees	<u>\$15,750</u>	<u>\$18,900</u>	<u>\$18,900</u>
------------------------	-----------------	-----------------	-----------------

ESTIMATED NET EFFECT ON MISSOURI PUBLIC HEALTH SERVICES FUND

<u>\$15,750</u>	<u>\$18,900</u>	<u>\$18,900</u>
------------------------	------------------------	------------------------

FISCAL IMPACT - Local Government FY 2011 FY 2012 FY 2013
 (10 Mo.)

<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

Sections 193.125, 193.128, 193.132 & 193.255:

This legislation modifies provisions regarding birth certificates and adoption records. The State Registrar shall develop and, upon a birth parent's request, provide both a contact preference and a medical history form to the birth parent. The contact preference form allows a birth parent to list his or her preference for contact by the adoptee. If a contact preference form is filed with the registrar, a medical history form shall also be so filed. Upon receipt of the forms, the State Registrar shall attach such forms to the original birth certificate of the adopted person.

This legislation allows for an adopted person, the adopted person's attorney, or the adopted person's descendants, if the adopted person is deceased, to obtain a copy of the adopted person's

FISCAL DESCRIPTION (continued)

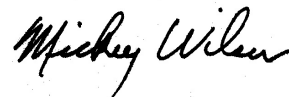
original birth certificate from the State Registrar upon written application and proof of identification. The adopted person shall be 18 years of age or older and born in Missouri. The adopted person shall also agree in writing to abide by the birth parent's contact preference, if such preference is included with the adopted person's original birth certificate. The State Registrar shall also provide a medical history form, if such form was completed by the birth parent.

The provisions of the legislation shall not apply to adoptions instituted or completed prior to August 28, 2010, except that a copy of the medical history form, which has had all identifying information redacted, shall be issued to such adopted person. For adoptions completed prior to August 28, 2010, the State Registrar shall release the original birth certificate only if the birth mother is deceased. If the birth mother is not deceased, the State Registrar shall, within three months of application by the adopted person, make reasonable efforts to contact the birth mother via telephone, personally and confidentially, to obtain the birth mother's written consent or denial to release the original birth certificate. If the birth mother could not be contacted, the adopted person may re-apply for a copy of the original birth certificate within one year from the end of the three-month period during which the attempted contact with the birth mother was previously made.

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

Office of the State Courts Administrator
Department of Health and Senior Services
Department of Social Services
Office of the Secretary of State



Mickey Wilson, CPA
Director
February 11, 2010