

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 636** HLS 11RS 1002  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> June 1, 2011 6:26 AM	<b>Author:</b> HOFFMANN
<b>Dept./Agy.:</b> Health and Hospitals	<b>Analyst:</b> Patrice Thomas
<b>Subject:</b> Forced Abortion Prevention Sign Act	

ABORTION RE SEE FISC NOTE GF EX Page 1 of 1

Provides requirements for content and delivery of information regarding abortion in certain medical settings and revises criteria for voluntary and informed consent to an abortion

Proposed law provides for the Forced Abortion Prevention Sign Act that applies to any outpatient abortion facility licensed by the Dept. of Health and Hospitals (DHH). Proposed law requires abortion facilities to display a 16"x20" sign displaying specific information on women's rights, forced abortion, fatherhood, adoptive parents, and DHH web address as specified in proposed law. Proposed law requires DHH to design and produce the sign. Proposed law requires DHH to maintain an abortion alternatives and informed consent website that contain information specified in proposed law and within 120 days of enactment of proposed law. Proposed law requires that abortion facilities must provide DHH's abortion alternatives website address at the initial contact of any person seeking to schedule an adoption. Proposed law requires abortion facilities that have a website place a prominent link to DHH's abortion alternatives website address on their home page. Proposed law requires that DHH publish a printed booklet that contains the website address, exact text and information contained in the proposed law. Proposed law increases criminal penalties from \$1,000 to \$10,000.

<b>EXPENDITURES</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>REVENUES</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

**Department of Health and Hospitals (DHH)**

The proposed legislation will result in an indeterminable increase in FY 12. According to the Department of Health and Hospitals (DHH), requirements of the proposed legislation are anticipated to be funded with the existing abortion initiative budget of \$9,200 SGF within the Office of Public Health (OPH). In FY 11, year to date, none of the \$9,200 budget funds has been expended. However, the Legislative Fiscal Office anticipates the requirements of this proposed legislation may exceed \$9,200 of existing available funds by an indeterminable amount based on printing and website development alone. Although the department did not submit a cost breakdown, the LFO is researching the potential cost of each provision of the proposed legislation. Presently, OPH publishes the free obstetric ultrasound directory and *Abortion - Making a Decision* booklet. The proposed legislation requires DHH/OPH to do the following over and above its current abortion initiatives: (1) develop and maintain an abortion alternative and informed consent website with specific information and IT functionality (i.e. mobile platform, video clips, pdf conversion) contained in the proposed legislation; (2) revise, update and print *Abortion - Making a Decision* booklets with specific information contained in the proposed legislation and make booklets available to the public for ordering; (3) revise and updated information in the existing free obstetric ultrasound directory as required in proposed legislation; (4) develop, print, and distribute "Forced Abortion Prevention Signs" to each of the 8 outpatient abortion facilities; and (5) develop and print certification forms used by outpatient abortion facilities listing all of the items of required information in this proposed legislation which are given to women.

**Health Care Science Division (HCSD)**

The Health Care Science Division (HCSD), LSU Health Sciences Center Shreveport Hospital, E.A. Conway Medical Center or Huey P. Long Medical Center do not perform elective abortions. According to HCSD, in the rare instance of an abortion in the case of medical emergency, the proposed legislation does not mandate anything that is not already done by the physicians.

**Board of Medical Examiners**

The proposed legislation requires a physician that performs an abortion in the case of a medical emergency to record the medical indicators supporting the necessity for an abortion without informed consent in the patient's medical record and the medical record shall be maintained for 7 years. Currently, medical records must be maintained for 6 years. According to the Board of Medical Examiners, this proposed legislation would have no significant increase on performing physician.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on state revenues as a result of this measure. However, any revenue generated through the imposition of criminal penalties as a result of conviction is anticipated to accrue to local government entities.

Senate <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}	House <input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S} <input type="checkbox"/> 6.8(F)2 >= \$100,000 Annual SGF Cost {H&S} <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	H. Gordon Monk Legislative Fiscal Officer
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