

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 155** SLS 11RS 40
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 19, 2011 4:35 PM	Author: MARTINY
Dept./Agy.: Health and Hospitals	Analyst: Patrice Thomas
Subject: Original Birth Records for Adopted Persons	

VITAL STATISTICS EG +\$91,104 SG EX See Note Page 1 of 2
 Provides for access to original birth certificates. (8/15/11)

Vital records, including birth records, are the responsibility of the Vital Records Registry (VRR), a division of the Office of Public Health. In Louisiana, birth records are confidential and restricted for 100 years from the date of the birth. During the restrictive period, birth records are only available to the registrant or their spouse, parents, adult child, sibling, grandparent, adult grandchild, or guardian if they present a judgment of custody. Under present law, when an adoption is finalized, a new birth certificate for the child is customarily issued to the adoptive parents. The original birth certificate is then sealed and kept confidential. Present law provides that an adopted person can file a Petition for Disclosure alleging a medical need or inheritance rights to gain information regarding his/her birth from the seal original birth records. Even with an Order for Disclosure, present law provides that no copies of the original birth certificate can be made. The adopted person can never see his/her pre-adoption information listed on the birth certificate. Proposed law allows adopted persons that are 24 years of age or older to request an uncertified copy of their original birth certificate from the State Registrar of Vital Records.

EXPENDITURES	2011-12	2012-13	2013-14	2014-15	2015-16	5 -YEAR TOTAL
State Gen. Fd.	\$76,104	\$78,004	\$78,004	\$21,001	\$21,001	\$274,114
Agy. Self-Gen.	\$15,000	\$7,500	\$7,500	\$7,500	\$7,500	\$45,000
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$91,104	\$85,504	\$85,504	\$28,501	\$28,501	\$319,114

REVENUES	2011-12	2012-13	2013-14	2014-15	2015-16	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$15,000	\$7,500	\$7,500	\$7,500	\$7,500	\$45,000
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$15,000	\$7,500	\$7,500	\$7,500	\$7,500	\$45,000

EXPENDITURE EXPLANATION

This legislation is anticipated to increase expenditures by \$91,104 in FY 12 as the result of adding 3 new positions to implement a new filing system and process adoptive birth records requests. According to the Office of Public Health (OPH), a new filing system will have to developed so that all sealed adoptive birth certificates can be consistently filed (by birth year) and searchable by all Vital Records staff.

The estimate is based on a similar law that has been effect in Alabama since August 2000. The Alabama Vital Records has unsealed 5,171 adoption files (approximately 1,000 - 1st year; 500 - 2nd thru 5th years; 320 - beyond 5th year). The agency anticipates this legislation would result in the similar number of requests as Alabama. OPH estimates three positions are needed to implement a new filing system and handle an estimated 3,000 requests from adopted adults over 5 years. All positions will be Administrative Coordinator 3 at \$28,501 each (salary of \$21,112 and related benefits of \$7,389). Two of the Administrative Coordinator 3 positions will be temporary positions that will implement a new filing system for sealed adoption envelopes. The remaining Administrative Coordinator 3 position will process requests from adopted persons for uncertified original birth certificates. Currently, according to the agency, it takes approximately 3-5 hours to process requests for a birth certificate and 1 week to process requests to unseal adoptive birth records. In addition, OPH anticipates one-time supply expenses in the first year for new filing boxes of \$5,600 (800 boxes x \$7 each).

	<u>FY 11-12</u>	<u>FY 12-13</u>	<u>FY 13-14</u>	<u>FY 14-15</u>	<u>FY 15-16</u>
2 - Admin Coord 3 (3-year temps)	\$57,003	\$57,003	\$57,003	\$0	\$0
1 - Admin Coord 3	\$28,501	\$28,501	\$28,501	\$28,501	\$28,501
Supplies	\$5,600	\$0	\$0	\$0	\$0
Total	\$91,104	\$85,504	\$85,504	\$28,501	\$28,501

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REVENUE EXPLANATION

Revenues generated by the Office of Public Health (OPH) will increase as a result of this measure. Currently, a service fee of \$15 per copy is charged for a long-form birth certificate. Based on Alabama's vital record experience, requests are anticipated to be approximately 1,000 - 1st yr; 500 - 2nd thru 5th yrs; and 320 - out-years beyond the 5th yr. Therefore, revenues generated from service fees are anticipated to be \$15,000 in FY 12 (1,000 x \$15 fee), \$7,500 (500 x \$15 fee) in FY 13 - FY 16, and \$4,800 (320 x \$15 fee) in subsequent fiscal years.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}	<i>H. Gordon Monk</i>
		<input type="checkbox"/> 6.8(F)2 >= \$100,000 Annual SGF Cost {H&S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<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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CONTINUED EXPLANATION from page one:

Note:

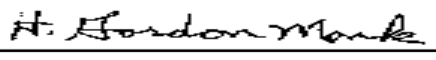
Due to confidentiality, only the State Registrar and the Deputy State Registrar have access to sealed adoption envelopes. Under Louisiana law, Vital Records Registry (VRR) must maintain birth records for 100 years after the year of birth. Currently, the VRR maintains birth records from 1907 to the present. In FY 10, OPH processed 218,353 requests for certified copies of birth certificates. In addition, OPH issues an average of 65,000 birth certificates each year. The Vital Records program has 55 T.O. positions. Although the exact number of sealed adoptive birth records is unknown, in recent years, the average number of new sealed adoptive birth records has been 2,000 each year.

Existing Adoptive Birth Records Storage System

Since 1907, there have been three different methods of filing sealed envelopes containing birth records for adoptions. Presently, adoptive birth records are placed in sealed envelopes and filed in storage boxes according by year of adoption and post adoption name. Beginning in 2000, adoptive birth records were stored in alphabetical order as well as by year of adoption. Prior to 2000, older adoptive birth records are stored only by year of adoption. According to the agency, it takes approximately 1 week to process a request to unseal adoptive birth records. When an Order of Disclosure is received by Vital Records, rarely does the Order of Disclosure contain the year of adoption. Most adopted persons do not know the year that they were adopted. As a result, it takes 1 week to search the numerous boxes of stored adoptive records.

New Adoptive Birth Records Filing System

According to the agency, to implement this proposed legislation a new filing system will have to be developed so that all sealed adoptive birth records can be consistently filed and searchable by all Vital Records staff. Presently, only the State Registrar and the Deputy State Registrar have access to sealed adoption envelopes. Therefore, stored sealed adoptive birth records from 1907 to present day will have to be (1) unsealed, (2) re-filed by year of birth, (3) enter adoptive birth records into the Vital Records Registry (VRR), and (4) moved stored boxes of adoptive birth records into an area that is accessible by all Vital Records staff.

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