

FISCAL IMPACT REPORT
2nd Session of the 51st Legislature

Bill No.:	SB 2001
Version:	Floor Amendment 1
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Date:	April 14, 2008
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Impact:	Potentially \$281,285
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Reviewed:	<u>Mark Tygret</u>
	House Fiscal Director

Summary

The FA 1 for ESB 2001 creates the Statistical Reporting of Abortion Act. This legislation requires the Oklahoma State Department of Health (OSDH) by March 1, 2009 to provide on their stable internet website an Individual Abortion Form, a Complication of Induced Abortion Report, all the language of all Oklahoma Statutes and regulations directly relating to abortion, the means by which physicians may electronically submit the required reports, and instruction regarding electronic submission.

The FA 1 for ESB 2001 requires any physician performing an abortion submit an Individual Abortion Form to OSDH within 30 days of performing an abortion, either electronically or in paper form. Certain specific information shall be required on the Individual Abortion Form. The legislation defines what specific information shall be required and posted on the OSDH website. The legislation also defines what specific information shall be required in the Complication of Induced Abortion Report and posted on the OSDH website.

The FA 1 for ESB 2001 requires the OSDH to notify all practicing physicians and newly licensed physicians of the reporting requirements of this Act and establishes the specific items contained in the reports compiled by the agency and posted on the website. This legislation authorizes OSDH to collect a \$500 fine for each late submission of a report and those funds collected shall be used for the administration of this Act. This bill also requires the Administrative Office of the Courts to compile certain statistical information and provide it to OSDH for inclusion in the Annual Abortion Report.

Analysis

Based on information provided by OSDH, the initial cost of implementing the FA 1 for ESB 2001 will be \$281,285 and require 3.85 FTE. OSDH believes this legislation will require development of 3 new reporting forms, complete rebuilding of existing electronic reporting system, implementation of compliance oversight unit to include program coordinator, licensing, audit, and legal support. If OSDH is charged with fining for late or unfiled-reports, OSDH will be unable to determine what has not been reported unless they are provided access to all medical files or another mechanism to validate reporting completeness. OSDH assumes there will be an expectation that reports of non-compliance will initiate onsite review of compliance with the requirements of the Act. To develop and report the newly required information/summaries,

OSDH will need additional resources (money and staff) to fulfill the obligations of the bill. Unless resources are provided up front, no electronic reporting system can be developed, nor audits completed, nor fines assessed to cover the expenses. At \$500 per month of late reporting, it would minimally require 560 months of late fines to be assessed annually in order for the system to be self-funded based on the allowed fines and the projected costs.

The fiscal impact for this legislation may change as specific details and intent are provided. Salaries and benefits will account for more than \$251,232. Details of this analysis are listed below:

	<u>Position Needed</u>	<u>FTE Required</u>	<u>Monthly Salary</u>	<u>Total Dollars</u>
Salaries	Administrative Asst.	1	\$2,644	\$31,722
	Application Specialist	0.5	\$5,417	\$32,500
	Program Administrator	1	\$3,750	\$45,000
	Epidemiologist/Data Analyst	0.5	\$3,333	\$19,998
	Web Developer	0.25	\$5,625	\$16,875
	Legal	0.1	\$7,000	\$8,400
	Compliance staff	0.5	\$4,000	\$24,000
	Total Salaries			
Fringes				\$72,737
Travel		<u>Motorpool</u>	<u>Mileage</u>	
		600	700	\$7,554
Training		<u>Per Diem/Registrations</u>	<u>Airfare</u>	
				\$0
Supplies		<u>Printing/Communications</u>	<u>Everyday Supplies</u>	
			10,000	\$10,000
Equipment		<u>Laptop/Desktop</u>	<u>Software/Monitoring</u>	
		2500	10,000	\$12,500
Indirect Costs		<u>On-site IDC</u>	<u>Off-site IDC</u>	
				\$0
Total				\$281,285

Long Term Considerations

No upfront startup money provided to create development of system or provide compliance evaluation or complaint investigation; and the goal of perfect reporting prohibits future maintenance of the system. The availability of the reports provided by the Administrative Office of the Courts brings up issues about the accuracy of the final report to be prepared by OSDH. The ability to compare and compile previous statistical reports on abortions with new reports in an analogous format will raise additional questions. Staff is unable to predict if sufficient or any funds will be generated by the fining mechanism included in this legislation.