

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0379-01  
Bill No.: SB 112  
Subject: Children and Minors; Education, Elementary and Secondary; Health Care; Health Department; Health, Public; Medical Procedures and Personnel  
Type: Original  
Date: January 17, 2003

---

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Department of Transportation, Department of Elementary and Secondary Education, Missouri Department of Conservation, Department of Insurance, Department of Social Services, and Department of Public Safety - Missouri State Highway Patrol** assume this proposal would not fiscally impact their agencies.

Officials from the **Missouri Consolidated Health Care Plan** state that this proposal removes the "religious beliefs or medical contraindications" and allows parents the right to determine if their child will be immunized. The parents must submit an annual statement from the physician to the school administrator. Since the childhood immunizations are covered at 100%, HCP assumes most parents will still immunize their children and therefore, there would be no fiscal impact.

Officials from the **Secretary of State Office (SOS)** assume this legislation would require the Department of Health and Senior Services, the Department of Elementary and Secondary Education, the Missouri Consolidated Health Care Plan, and the Department of Insurance to promulgate rules and regulations as they pertain to allowing parents to refuse to immunize their children without providing certain justifications. Based on prior rulemakings for these agencies,

ASSUMPTION (continued)

rules and forms could require as many as 29 pages in the *Code of State Regulations*. Because rules in their proposed version are also published in the *Missouri Register*, one-half again as many pages will be required to be published in this publication because of cost statements, fiscal notes, etc., which are not republished in Code. These costs are estimated. The cost per page in the Missouri Register is \$23.00; the cost per page in the Code of State Regulations is \$27.00. Actual costs may vary depending on the department and the number of rulemakings promulgated. The SOS estimates total costs to be \$1,783 in FY 2004 [(29 pages x \$27) + (43.5 pages x \$23)].

**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.

Officials from the **Department of Health and Senior Services (DOH)** state this proposal would not be expected to significantly impact the operations of DOH. If the proposal were to substantially impact the DOH programs, then the DOH would request funding through the legislative process.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<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.

## DESCRIPTION

This proposal allows parents to refuse to immunize their children without providing certain justifications. Currently, Section 167.181, RSMo, allows a parent to exempt their school-age child from immunization by providing a written objection citing either religious beliefs or medical reasons. This act expands the ability of parents to refuse to immunize their children by not restricting the written objection to religious beliefs or medical contraindications. However, if the objection is due to medical contraindications, a statement from the child's physician to the school is still required.

Currently, Section 210.003, RSMo, allows a parent to exempt a daycare-age child from immunization by providing a written objection citing either medical contraindications or reasons as determined by the Department of Health and Senior Services. This act removes the provision allowing the Department to stipulate the reasons for an exemption and instead permits a parent to exempt a child through written objection only. For the medical exemption, a licensed physician must still certify that the immunization would endanger the child's health or life.

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

Department of Elementary and Secondary Education  
Department of Transportation  
Department of Health and Senior Services  
Department of Social Services  
Missouri Consolidated Health Care Plan  
Department of Insurance  
Missouri Department of Conservation  
Department of Public Safety -  
    Missouri State Highway Patrol  
Secretary of State

L.R. No. 0379-01  
Bill No. SB 112  
Page 5 of 5  
January 17, 2003

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large initial "M".

Mickey Wilson, CPA  
Director  
January 17, 2003