

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0181-05
Bill No.: Perfected HCS for HB 36
Subject: Children and Minors; Health Care; Health Care Professionals; Hospitals
Type: Original
Date: April 20, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Economic Development - Division of Professional Registration (DED-PR)** state having reviewed the proposed legislation and having sought the conclusion of the appropriate board(s), they are of the opinion the proposal, in its present form, has no fiscal impact on the DED-PR.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

This proposal would have an administrative fiscal impact on midwives.

DESCRIPTION

This proposal specifies that nothing may prohibit a woman from giving birth in the setting and with the caregiver of her choice. A caregiver includes a person who provides midwifery services; however, this service is not the practice of medicine, nursing, or nurse-midwifery. These caregivers may not be subject to prosecution under state law if they exercise a reasonable degree of care.

Every midwife is required to provide a written disclosure statement informing all clients and potential clients of his or her education and training, years of experience, number of deliveries as a midwife, possible risks, and a contingency plan in the event of an emergency.

Physicians, certified nurse midwives, and hospitals providing emergency care or treatment of a woman or infant arising during childbirth as a result of the care received by a midwife or caregiver will not be liable for civil damages for acts or omissions resulting from the provision of services unless the acts or omissions were the result of gross negligence or willful misconduct.

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 Economic Development -
Division of Professional Registration



Mickey Wilson, CPA
Director

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