

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6496-01  
Bill No.: HB 2245  
Subject: Vital Statistics; Children and Minors; Family Law  
Type: Original  
Date: April 9, 2014

Bill Summary: This proposal creates procedures for an adopted person to obtain a copy of an original birth certificate.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
General Revenue	Up to \$10,750	Up to \$10,750	Up to \$10,750
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>Up to \$10,750</b>	<b>Up to \$10,750</b>	<b>Up to \$10,750</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Children's Trust	Up to \$15,750	Up to \$15,750	Up to \$15,750
Endowed Cemetery	Up to \$3,150	Up to \$3,150	Up to \$3,150
MO Public Health Services	Up to \$15,750	Up to \$15,750	Up to \$15,750
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>Up to \$34,650</b>	<b>Up to \$34,650</b>	<b>Up to \$34,650</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</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 FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Department of Health and Senior Services (DHSS)** assume this proposal allows an adopted adult to receive a copy of his/her original birth certificate. It also requires the DHSS, State Registrar to develop an application form to provide to adopted persons upon request. The State Registrar is also required to contact the birth mother if living to obtain her consent or denial to release the original birth certificate. Inquiries and requests are anticipated to increase once adoptees are aware that their sealed records are available to them upon written request.

Currently the Bureau of Vital Records responds to approximately 10 to 15 inquiries and requests daily regarding access to sealed adoption records. Inquires and requests for copies of original birth certificates are expected to double from the current amount, with an increase of approximately 3,780 requests annually (15 X average of 21 working days per month X 12 months in a year = 3,780 requests). There is currently one Senior Office Support Assistant - Keyboarding (SOSA) working on adoptions. Two additional SOSAs (\$25,572 each, annually) would be needed to handle the additional requests and assist in preliminary investigative activities in locating the birth mother. The additional SOSA positions would assist internal and external customers through written correspondence, in person, and over the telephone regarding adoptions, vital events and related matters. The SOSAs would perform moderate to difficult clerical and technical functions involving a significant amount of public contact. Duties include researching requests related to obtaining original birth records; determining if the mother is living; locating contact information; processing documents related to births, including adoption decrees (domestic and foreign); legitimating affidavits, amending or creating new certificates as instructed by affidavits or court orders; processing delayed applications; performing manual and computer searches; updating the system mainframe and Missouri Electronic Vital Records system; and issuing copies as requested.

A Clinical Social Work Specialist is requested to make phone calls to birth mothers to obtain her consent or denial to release the original birth record. These calls will be sensitive in nature, as the birth mother may not be aware that her birth child is trying to locate her. A high degree of tact, sensitivity, discretion and specialized training will be necessary to perform these duties.

The sealed records are stored at State Archives. DHSS currently does not have staff dedicated to drive to the State Archives to retrieve and return the sealed records. A one-half Office Support Assistant (OSA) is requested to perform these duties. DHSS estimates three trips per week, utilizing an existing state vehicle, to the State Archives. The OSA will research the location of the records, locate and pull the appropriate sealed records at archives and return the previous

ASSUMPTION (continued)

sealed records to the proper location. The OSA may also assist the SOSA as time allows in processing applications and duplicating records. Standard expense and equipment costs are included for additional staff. In addition, approximately \$1,850 would be needed for postage (3,780 X \$0.49 per envelope).

Per §193.265, RSMo, the cost per birth certificate statement is \$15 to be distributed as follows: Children's Trust Fund - \$5; General Revenue - \$4; Endowed Cemetery Fund - \$1, and Missouri Public Health Services Fund (MOPHS) - \$5. The increase in revenue for FY 2015 is determined by 3,780 requests X \$15 per request, for a total of \$56,700, adjusted to \$47,250 for a 10-month period in FY 2015. Per 193.265 RSMo, this revenue will be split between four funds (GR = \$12,600, Children's Trust Fund = \$15,750, Endowed Cemetery Fund = \$3,150, and Missouri Public Health Services Fund = \$15,750).

**Oversight** assumes, because the potential significant increase in the workload is speculative, that the DHSS could absorb three and one-half FTE. Any significant increase in the workload of the DHSS would be reflected in future budget request. In addition, since the potential increase in the workload is considered speculative, Oversight is presenting the revenues that could be received as a result of the increase in requests for birth certificates as “Up to” the amount provided by DHSS.

Officials from the **Department of Social Services - Children’s Division (CD)** state the proposal will not fiscally impact the CD as birth certificates are filed with the state registrar, but policy may need to be updated should this bill become law.

Officials from the **Joint Committee on Administrative Rules (JCAR)** state the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

Officials from the **Office of State Courts Administrator** assume the proposal would not fiscally impact their agency.

Officials from the **Office of Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State’s office is provided with core funding to handle a certain amount of normal activity resulting from each year’s legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes this is a small amount and does not expect that additional funding would be required to meet these costs. However, it is also recognized that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain within its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
<b>GENERAL REVENUE FUND</b>			
<u>Income</u> - DHSS (§§193.125 and 193.128)			
Birth certificate fees	Up to \$12,600	Up to \$12,600	Up to \$12,600
<u>Cost</u> - DHSS			
Mailing expenses	<u>(Up to \$1,850)</u>	<u>(Up to \$1,850)</u>	<u>(Up to \$1,850)</u>
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b><u>Up to \$10,750</u></b>	<b><u>Up to \$10,750</u></b>	<b><u>Up to \$10,750</u></b>
<b>CHILDREN'S TRUST FUND</b>			
<u>Income</u> - DHSS (§§193.125 and 193.128)			
Birth certificate fees	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>
<b>ESTIMATED NET EFFECT ON THE CHILDREN'S TRUST FUND</b>	<b><u>Up to \$15,750</u></b>	<b><u>Up to \$15,750</u></b>	<b><u>Up to \$15,750</u></b>
<b>ENDOWED CEMETERY FUND</b>			
<u>Income</u> - DHSS (§§193.125 and 193.128)			
Birth certificate fees	<u>Up to \$3,150</u>	<u>Up to \$3,150</u>	<u>Up to \$3,150</u>
<b>ESTIMATED NET EFFECT ON THE ENDOWED CEMETERY FUND</b>	<b><u>Up to \$3,150</u></b>	<b><u>Up to \$3,150</u></b>	<b><u>Up to \$3,150</u></b>
<b>MO PUBLIC HEALTH SERVICES FUND</b>			
<u>Income</u> - DHSS (§§193.125 and 193.128)			
Birth certificate fees	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>	<u>Up to \$15,750</u>
<b>ESTIMATED NET EFFECT ON THE MO PUBLIC HEALTH SERVICES FUND</b>	<b><u>Up to \$15,750</u></b>	<b><u>Up to \$15,750</u></b>	<b><u>Up to \$15,750</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<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.

FISCAL DESCRIPTION

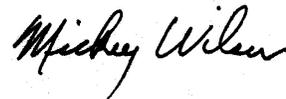
This proposal specifies that an adopted individual, the adopted individual's attorney, or the adopted individual's descendants, if the adopted person is deceased, may obtain a copy of the adopted individual's original certificate of birth from the state registrar in accordance with specified provisions. In order to receive a copy of his or her original certificate of birth, the adopted individual must: (1) Be at least 18 years of age; (2) Have been born in this state; and (3) File a written application and provide appropriate proof of identification with the state registrar. The state registrar may require a waiting period and impose a fee for issuance of the uncertified copy. The fees and waiting period imposed must be identical to the fees and waiting period generally imposed on an individual seeking their own certificate of birth. Upon receipt of a written application, proof of identification, and fulfillment of specified requirements, the state registrar must issue an uncertified copy of the unaltered original certificate of birth to the applicant. The copy of the certificate of birth must have the following statement printed on it: "for informational purposes only - not to be used for establishing identity." If the birth mother is deceased or cannot be found, the state registrar must notify the adopted individual that the copy of the original certificate of birth must be released one year from the date of the initial application. The adopted individual must submit a subsequent written application for release of the certificate of birth and notification to the state registrar that one year has passed. If the birth mother is not deceased, the state registrar must, within three months of application by the adopted individual, make reasonable efforts to contact the birth mother via telephone, personally and confidentially, to obtain the birth mother's consent or denial to release the original certificate of birth. The state registrar may charge actual costs to the adopted individual for the cost of searching for the birth mother. If the state registrar is unable to contact the birth mother within three months, the state registrar is prohibited from releasing the certificate of birth. The adopted individual may re-apply for a copy of his or her original certificate of birth once every two years from the end of the three-month period during which the state registrar attempted to contact the birth mother. The state registrar may not release the certificate of birth under this subdivision until the birth mother submits a subsequent written consent for release, dies, or cannot be found in which case specified procedures apply.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Office of State Courts Administrator  
Department of Health and Senior Services  
Department of Social Services -  
    Children's Division  
Joint Commission on Administrative Rules  
Office of Secretary of State



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April 9, 2014

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