

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 3102-01
BILL NO.: HB 1668
SUBJECT: Crimes and Punishment; Physicians
TYPE: Original
DATE: March 1, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	less than (\$100,000)	less than (\$100,000)	less than (\$100,000)
Total Estimated Net Effect on <u>All</u> State Funds	less than (\$100,000)	less than (\$100,000)	less than (\$100,000)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses
This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Attorney General (AGO)** assume that very few, in any, cases would fall under this bill and therefore, assume cases could be absorbed with existing resources.

Officials from the **Department of Economic Development - Division of Professional Registration (DPR)** and the **Office of State Courts Administrator (CTS)** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Department of Corrections (DOC)** did not respond to our fiscal impact request. Oversight assumes the proposal could result in more offenders being incarcerated or placed on probation. Additional costs for supervision and care by the DOC cannot be determined, but would likely be less than \$100,000 annually.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
GENERAL REVENUE FUND			
<u>Costs - Department of Corrections (DOC)</u>	<u>less than</u> <u>(\$100,000)</u>	<u>less than</u> <u>(\$100,000)</u>	<u>less than</u> <u>(\$100,000)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	0	0	0
<u>FISCAL IMPACT - Small Business</u>			

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This bill requires the Board of Healing Arts to automatically revoke the license of a physician who is found guilty of or who has entered a plea of guilty or nolo contendere for assisting in a suicide in any jurisdiction of the United States or if there is convincing evidence that the physician has assisted in a suicide in any jurisdiction.

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DESCRIPTION (continued)

The provision does not apply to a physician who participates in an execution for the Department of Corrections or follows the directions in a living will or durable power of attorney for health care decisions. The bill also establishes a class B felony of knowingly causing another person to commit or attempt to commit suicide, but exempts from that definition the withholding or withdrawing of a life-sustaining procedure. In addition, the bill establishes a cause of action for injunctive relief and allows the prevailing party in that action to be awarded reasonable attorney's fees and civil damages, including attorneys' fees, against a person who assists or attempts to assist another person to commit or attempt suicide.

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

This proposal would not affect Total State Revenues.

SOURCES OF INFORMATION

Office of the Attorney General
Department of Economic Development - Division of Professional Registration
Office of State Courts Administrator

NOT RESPONDING: Department of Corrections



Jeanne Jarrett, CPA
Director
March 1, 2000