

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1080-02  
Bill No.: HB 0339  
Subject: Enacts the Safe Place for Newborns Act of 2001.  
Type: Original  
Date: February 12, 2001

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	(\$179,208)	(\$179,208)	(\$179,208)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$179,208)</b>	<b>(\$179,208)</b>	<b>(\$179,208)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Total Estimated Net Effect on <u>All</u> Federal Funds *</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* Federal revenues and expenditures will be approximately \$60,000 annually and net to \$0.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

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## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of State Courts Administrator** and **Department of Health** stated the proposed legislation will have no fiscal impact on their organizations.

Officials from the **Cooper County Memorial Hospital** state they were unable to determine potential costs because the bill does not address payment of medical care.

Officials from the **Office of Attorney General (AGO)** did not respond to our request for a statement of fiscal impact. In a similar piece of legislation proposed in the prior session, the AGO stated the proposed legislation would have no fiscal impact. **Oversight** assumes the current legislation will not have a fiscal impact on the AGO.

Officials from the **Office of the Secretary of State (SOS), Barton County Memorial Hospital, Cass Medical Center, Excelsior Springs Medical Center, Lincoln County Memorial Hospital, Pemiscot Memorial Hospital, Phelps County Regional Medical Center, Ray County Memorial Hospital, Samaritan Memorial Hospital, and Ste. Genevieve County Memorial Hospital** did not respond to our request for a statement of fiscal impact.

Officials from the **Department of Social Services - Division of Family Services (DFS)** stated that due to the long term need to inform the public, especially women of child rearing years, the DFS would need additional funding to cover costs of producing, publishing, and broadcasting this legislated information on a regular basis. The Department of Health (DOH) has responded to the need to provide information on the TEL-LINK program by contracting with multimedia services statewide. The DOH has a contracted annual rate of \$240,000 to have brochures, posters, television/radio ads, bus boards in metropolitan areas, and billboards produced and disseminated statewide. This contract allows multimedia agencies, who have contracted with the State, to broadcast information statewide. Greater coverage is accessed through this contract.

The DFS would distribute materials to doctors' offices, health clinics, WIC offices, all county offices (i.e., DFS, DOH, Department of Mental Health), college/university campuses, and professional associations (i.e., National Association of Social Workers, National Association of Pediatricians) across the state.

Officials from the **Department of Social Services - Division of Youth Services (DYS)** stated the **DYS** assumes no significant fiscal impact. The likelihood that an employee of the **DYS** would be placed in the position of taking custody of a child less than 30 days old is remote. Should the situation occur, it is estimated the employee would spend 2-4 hours fulfilling their obligation to secure medical care and notify the **DFS**. Expenses are estimated to be minimal and able to be absorbed in the existing budget.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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**GENERAL REVENUE FUND**

Costs - Department of Social Services

Equipment and Expense - TEL-LINK Media Campaign	<u>(\$179,208)</u>	<u>(\$179,208)</u>	<u>(\$179,208)</u>
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Total <u>Costs</u> - Department of Social Services	<u>(\$179,208)</u>	<u>(\$179,208)</u>	<u>(\$179,208)</u>
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<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(\$179,208)</u></b>	<b><u>(179,208)</u></b>	<b><u>(\$179,208)</u></b>
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**FEDERAL FUNDS**

Income - Department of Social Services

Federal Match on Equipment and Expenses - TEL-LINK Media Campaign	\$60,792	\$60,792	\$60,792
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Costs - Department of Social Services

Equipment and Expense - TEL-LINK Media Campaign	<u>(\$60,792)</u>	<u>(\$60,792)</u>	<u>(\$60,792)</u>
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<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
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<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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**POLITICAL SUBDIVISIONS**

<u>Hospital Treatment Costs</u>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>
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FISCAL IMPACT - Small Business

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

DESCRIPTION

This proposal, known as the "Safe Newborns Act of 2001", would protect a newborn from injury and death caused by abandonment by a parent and provide safe and secure alternatives to such abandonment. The legislation provides an affirmative defense to the parents against prosecution  
DESCRIPTION (continued)

of abandonment, for leaving a child in the physical custody of the staff of a licensed medical facility, firefighter or emergency medical technician, on-duty law enforcement officer, member of the clergy, employee of the DFS, or employee of the DYS, if the child is no more than 30 days old and has not been abused or neglected by the parent. The person will be able to take physical custody of a child believed to be no more than 30 days old without a court order and will be immune from civil, criminal and administrative liability for discharging in good faith the duties provided for in Section 210.950. If the delivery of the newborn takes place at any place other than a licensed medical facility, the person taking physical custody of the child shall arrange for the immediate transportation of the child to the nearest licensed medical facility. The medical facility shall perform any act necessary, in accordance with generally accepted standards of professional practice, to protect the physical health or safety of the child. The parent's voluntary delivery of the child shall constitute the parent's implied consent to any such act.

The Division of Family Services must also provide information and answer questions about the process established by Section 210.950 on the statewide, toll-free telephone number maintained pursuant to Section 210.145, RSMo. In addition, it must provide information by way of public service announcements, or by other ways to deliver information about the process.

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 Social Services  
Department of Health  
Office of State Courts Administrator  
Cooper County Memorial Hospital

**NOT RESPONDING: Attorney General's Office, Secretary of State's Office, Barton County Memorial Hospital, Cass Medical Center, Excelsior Springs Medical Center, Lincoln Country Memorial Hospital, Pemiscot Memorial Health Systems, Phelps County Regional Medical Center, Ray County Memorial Hospital, Samaritan Memorial Hospital, and Ste. Genevieve County Memorial Hospital**



Jeanne Jarrett, CPA  
Director  
February 12, 2001