

SF70 - 1A - Abortion Regulations Modified

Chief Author: **Erin Maye Quade**
 Committee: **Health And Human Services**
 Date Completed: **1/26/2023 6:20:39 PM**
 Lead Agency: **Health Dept**
 Other Agencies:
 Human Services Dept Medical Practice Board
 Nursing Board

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Health Dept						
General Fund	-	(194)	(194)	(194)	(194)	(194)
Restrict Misc. Special Revenue	-	-	-	-	-	-
Human Services Dept						
General Fund	-	-	-	-	-	-
Medical Practice Board						
Health Related Boards	-	(15)	(15)	(15)	(15)	(15)
State Total						
General Fund	-	(194)	(194)	(194)	(194)	(194)
Restrict Misc. Special Revenue	-	-	-	-	-	-
Health Related Boards	-	(15)	(15)	(15)	(15)	(15)
Total	-	(209)	(209)	(209)	(209)	(209)
Biennial Total			(418)			(418)

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Health Dept					
General Fund	-	(1.1)	(1.1)	(1.1)	(1.1)
Restrict Misc. Special Revenue	-	-	-	-	-
Human Services Dept					
General Fund	-	-	-	-	-
Medical Practice Board					
Health Related Boards	-	-	-	-	-
Total	-	(1.1)	(1.1)	(1.1)	(1.1)

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

This proposed legislation has a fiscal impact to the Department of Human Services; however, an accurate fiscal impact cannot be determined due to a lack of available data. Relevant data can be found in this report released by the Minnesota Department of Health: <https://www.health.state.mn.us/data/mchs/pubs/abrpt/docs/2021abrpt.pdf>

LBO Signature: Christian Larson **Date:** 1/26/2023 6:20:39 PM
Phone: 651-284-6436 **Email:** christian.larson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Health Dept						
General Fund	-	(194)	(194)	(194)	(194)	(194)
Restrict Misc. Special Revenue	-	-	-	-	-	-
Human Services Dept						
General Fund	-	-	-	-	-	-
Medical Practice Board						
Health Related Boards	-	(15)	(15)	(15)	(15)	(15)
Total	-	(209)	(209)	(209)	(209)	(209)
	Biennial Total		(418)		(418)	(418)
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Health Dept						
General Fund						
Expenditures	-	(145)	(145)	(145)	(145)	(145)
Absorbed Costs	-	(49)	(49)	(49)	(49)	(49)
Restrict Misc. Special Revenue	-	(15)	(15)	(15)	(15)	(15)
Human Services Dept						
General Fund	-	-	-	-	-	-
Medical Practice Board						
Health Related Boards	-	(15)	(15)	(15)	(15)	(15)
Total	-	(224)	(224)	(224)	(224)	(224)
	Biennial Total		(448)		(448)	(448)
2 - Revenues, Transfers In*						
Health Dept						
General Fund						
Restrict Misc. Special Revenue	-	(15)	(15)	(15)	(15)	(15)
Human Services Dept						
General Fund	-	-	-	-	-	-
Medical Practice Board						
Health Related Boards	-	-	-	-	-	-
Total	-	(15)	(15)	(15)	(15)	(15)
	Biennial Total		(30)		(30)	(30)

SF70 - 1A - Abortion Regulations Modified

Chief Author: Erin Maye Quade
 Committee: Health And Human Services
 Date Completed: 1/26/2023 6:20:39 PM
 Agency: Health Dept

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	(194)	(194)	(194)	(194)
Restrict Misc. Special Revenue	-	-	-	-	-
Total	-	(194)	(194)	(194)	(194)
Biennial Total			(388)		(388)

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	(1.1)	(1.1)	(1.1)	(1.1)
Restrict Misc. Special Revenue	-	-	-	-	-
Total	-	(1.1)	(1.1)	(1.1)	(1.1)

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Kate Schiller **Date:** 1/26/2023 8:00:23 AM
Phone: 651-296-6052 **Email:** kate.schiller@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	(194)	(194)	(194)	(194)	(194)
Restrict Misc. Special Revenue	-	-	-	-	-	-
Total	-	(194)	(194)	(194)	(194)	(194)
	Biennial Total		(388)	(388)	(388)	(388)
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund						
Expenditures	-	(145)	(145)	(145)	(145)	(145)
Absorbed Costs	-	(49)	(49)	(49)	(49)	(49)
Restrict Misc. Special Revenue	-	(15)	(15)	(15)	(15)	(15)
Total	-	(209)	(209)	(209)	(209)	(209)
	Biennial Total		(418)	(418)	(418)	(418)
2 - Revenues, Transfers In*						
General Fund						
Restrict Misc. Special Revenue	-	(15)	(15)	(15)	(15)	(15)
Total	-	(15)	(15)	(15)	(15)	(15)
	Biennial Total		(30)	(30)	(30)	(30)

Bill Description

This bill modifies the abortion regulating statutes including repealing Minnesota Statutes, sections 145.4243; 145.4244; 145.925, subdivisions 2 and 4; and amending 145.4235, subdivision 2. This bill repeals Minnesota Statutes, sections 145.4134 and 62Q.15. All sections are effective the day following final enactment.

Assumptions

Repeal of Minnesota Statutes, sections 145.4243-44 results in elimination of 0.85 FTEs by eliminating the Minnesota Department of Health’s requirement to produce and publish the Women’s Right to Know materials on fetal development and a related directory of services for pregnant women by county as described in Minnesota Statutes, sections 145.4243-44. Amending Minnesota Statutes, section, 145.4235, subdivision 2, removes the requirement for Positive Alternatives grantees to use the Women’s Right to Know materials described in section 145.4243.

The cost savings for printing, shipping, and supplies, translation costs, and purchase of materials related to publishing and maintaining the Women’s Right to Know materials in print and on the MDH website is approximately \$10,752.

Repealing, Minnesota Statutes, section 145.925, subdivision 2, eliminates the prohibition on Family Planning Special Project grants to nonprofit corporations which perform abortions and eliminates the parental notification for abortion or sterilization for an unemancipated minor. This change has a de minimus impact to the department.

Repealing Minnesota Statutes, section 145.4134, removes the requirement for an annual public report. The report is compiled from data collected under Minnesota Statutes, sections 145.4131, 145.4132, and 145.4133, and other reporting and administrative requirements (e.g., form development and distribution) outlined in the current statute. The repeal of all reporting requirements by providers and clinics will remove the requirement and capacity to develop a public report and the effort of a 0.25 FTE.

Repealing Minnesota Statutes, section 62Q.145, has a de minimus impact to the department.

The bill no longer necessitates an interagency agreement between MDH and the Board of Medical Practice to comply with

Minnesota Statutes, section 145.4132. There is a loss of \$15,000 in revenue and a corresponding decrease in expenditures for printing and operating costs in the 2000 restricted miscellaneous special revenue fund, resulted in a net costs to the 2000 fund.

Under the SF70-1A amended bill version, Positive Alternatives grantees under Minnesota Statutes, section 145.4235, would use information for counseling pregnant women as determined by the commissioner of health. This effort would be supported by 0.5 FTE staff retained by the department, as well as \$5,000 in contractual costs for a perinatal specialist and translation costs, for a total of \$49,000 in absorbed costs at MDH.

Expenditure and/or Revenue Formula

General Fund Savings

Expenditure (Actual Dollars)	Amount	FY 2024	FY 2025	FY 2026	FY 2027
Salary & Fringe:		FTE	FTE	FTE	FTE
Management Analyst 2	88,736	(0.50)	(0.50)	(0.50)	(0.50)
Office & Admin Specialist Sr	90,035	(0.35)	(0.35)	(0.35)	(0.35)
Research Scientist Supv 2	153,670	(0.25)	(0.25)	(0.25)	(0.25)
	FTE	(1.10)	(1.10)	(1.10)	(1.10)
	Subtotal	(114,298)	(114,298)	(114,298)	(114,298)
Information Technology:					
MNIT costs to maintain Minnesota Registration & Certification (MR&C) ITOP reporting module		(6,000)	(6,000)	(6,000)	(6,000)
	Subtotal	(6,000)	(6,000)	(6,000)	(6,000)
Other Operating Costs:					
WRTK Operating Costs (printing, shipping, supplies)		(10,752)	(10,752)	(10,752)	(10,752)
Printing and mailing costs to reporting physicians		(13,582)	(13,582)	(13,582)	(13,582)
	Subtotal	(24,334)	(24,334)	(24,334)	(24,334)
Grants, Aids & Subsidies:					
	Subtotal	0	0	0	0
Total Expenditure	Total	(144,632)	(144,632)	(144,632)	(144,632)
Fiscal Tracking (Dollars in Thousands)		FY 2024	FY 2025	FY 2026	FY 2027
Health Improvement BACT 01		(145)	(145)	(145)	(145)
Administration		(145)	(145)	(145)	(145)
Grants		0	0	0	0

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Char Kimber

Phone: 651-201-4685

Date: 1/25/2023 6:38:59 PM

Email: health.fiscalnotes@state.mn.us

SF70 - 1A - Abortion Regulations Modified

Chief Author: **Erin Maye Quade**
 Committee: **Health And Human Services**
 Date Completed: **1/26/2023 6:20:39 PM**
 Agency: **Human Services Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

This proposed legislation has a fiscal impact to the Department of Human Services; however, an accurate fiscal impact cannot be determined due to a lack of available data. Relevant data can be found in this report released by the Minnesota Department of Health: <https://www.health.state.mn.us/data/mchs/pubs/abrpt/docs/2021abrpt.pdf>

LBO Signature: Christian Larson **Date:** 1/26/2023 6:18:17 PM
Phone: 651-284-6436 **Email:** christian.larson@lbo.mn.gov

State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
General Fund		-	-	-	-	-
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund		-	-	-	-	-
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
General Fund		-	-	-	-	-
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

Section 8 would modify Medical Assistance (MA) coverage for abortion services.

Section 10 would eliminate language restricting MinnesotaCare coverage for abortion services to cases where the life of the female would be endangered or impaired as specified, or for pregnancies as a result of incest.

Assumptions

This bill is assumed to be effective the day following final enactment.

DHS assumes that an increase in utilization for abortion services may occur in Medical Assistance and MinnesotaCare due to the change in the definition of medical necessity. However, the Department is unable to quantify these impacts due to a lack of available data.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Chris Zempel

Date: 1/26/2023 12:42:46 PM

Phone: 651-247-3698

Email: christopher.zempel@state.mn.us

SF70 - 1A - Abortion Regulations Modified

Chief Author: **Erin Maye Quade**
 Committee: **Health And Human Services**
 Date Completed: **1/26/2023 6:20:39 PM**
 Agency: **Medical Practice Board**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Health Related Boards	-	(15)	(15)	(15)	(15)	(15)
Total	-	(15)	(15)	(15)	(15)	(15)
Biennial Total			(30)			(30)

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Health Related Boards	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

I have reviewed this fiscal note for reasonableness of content and consistency with LBO's Uniform Standards and Procedures.

LBO Signature: Shannon Zila **Date:** 1/26/2023 9:28:38 AM
Phone: 651-296-6053 **Email:** shannon.zila@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Health Related Boards	-	(15)	(15)	(15)	(15)	(15)
Total	-	(15)	(15)	(15)	(15)	(15)
	Biennial Total		(30)			(30)
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Health Related Boards	-	(15)	(15)	(15)	(15)	(15)
Total	-	(15)	(15)	(15)	(15)	(15)
	Biennial Total		(30)			(30)
2 - Revenues, Transfers In*						
Health Related Boards	-	-	-	-	-	-
Total	-	-	-	-	-	-
	Biennial Total		-			-

Bill Description

SF70-1A related to health; repeals certain statutes regulating abortion and certain sex offenses.

Assumptions

Section 145.4132 of Minnesota statutes requires the Board of Medical Practice to ensure that the abortion complication reporting form prepared by the commissioner of health is distributed annually to all licensed physicians and to all newly licensed physicians. The Board of Medical Practice complies with this requirement through an Interagency Agreement (IA) with the MN Department of Health (MDH), effective November 16, 2021, expiring December 31, 2023 and eligible for renewal through December 31, 2025. In pertinent part, the IA obligates the Board of Medical Practice to pay to MDH 50% of the total cost of distributing the abortion complication reporting form, up to \$15,000 annually, and MDH coordinates distribution of the reporting form. Repeal of this section eliminates up to \$15,000 annually in costs to the Board of Medical Practice for its percentage of the costs pursuant to an IA for distribution of the abortion complication reporting form.

Expenditure and/or Revenue Formula

Interagency agreement and statutory assignment of 50% of costs.

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

November 16, 2021 Interagency Agreement between the Board of Medical Practice and MDH.

Agency Contact: Ruth Martinez (612-548-2150)

Agency Fiscal Note Coordinator Signature: Ruth Martinez

Date: 1/26/2023 8:37:17 AM

Phone: 612-548-2150

Email: ruth.martinez@state.mn.us

SF70 - 1A - Abortion Regulations Modified

Chief Author: **Erin Maye Quade**
 Committee: **Health And Human Services**
 Date Completed: **1/26/2023 6:20:39 PM**
 Agency: **Nursing Board**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

I have reviewed this fiscal note for reasonableness of content and consistency with LBO's Uniform Standards and Procedures.

LBO Signature: Shannon Zila **Date:** 1/26/2023 9:29:51 AM
Phone: 651-296-6053 **Email:** shannon.zila@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

This bill seeks to modify the regulation of abortion in Minnesota.

Assumptions

The proposed language does not change the Board's ability to carry out licensure, investigation, and regulatory responsibilities and, therefore, there is no fiscal impact to the Board of Nursing.

Expenditure and/or Revenue Formula

There is no fiscal impact to the Board of Nursing.

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: Kimberly Miller (612-317-3025)

Agency Fiscal Note Coordinator Signature: Kimberly Miller

Phone: 612-317-3025

Date: 1/26/2023 8:38:04 AM

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