

March 16, 2016

The Honorable Mary Pilcher-Cook, Chairperson  
Senate Committee on Public Health and Welfare  
Statehouse, Room 441-E  
Topeka, Kansas 66612

Dear Senator Pilcher-Cook:

**SUBJECT:** Fiscal Note for SB 497 by Senate Committee on Ways and Means

In accordance with KSA 75-3715a, the following fiscal note concerning SB 497 is respectfully submitted to your committee.

SB 497 would require the Kansas Department of Health and Environment (KDHE) in consultation with the Kansas State Board of Healing Arts (KSBHA) to adopt rules and regulations to establish guidelines for routine birth risk factor screening for pregnant women. The birth risk factors for pregnant women, as defined in the bill, would include tobacco use, alcohol consumption or substance abuse, a diagnosis of depression, or a report of domestic violence. The bill would require that physicians provide a routine opt-out screening during the first trimester for birth risk factors. Should the physician determine that a pregnant woman has a birth risk factor, the physician would provide a repeat screening during the third trimester or as soon after birth as possible. A pregnant woman would have the right to refuse screening at any point during her pregnancy; however, all physicians would be required to inform their patients of the purposes and benefits of the screening.

*The Kansas Statewide Efficiency Review* by Alvarez and Marcel included a Healthy Birth Outcomes Initiative that could save the state approximately \$2.0 million in FY 2017 by providing routine, opt-out birth risk factor screening for pregnant women and also a prohibition on providing medical assistance for early elective C-section deliveries. A separate estimate of the savings for each of the two parts of the initiative was not included in the report.

The Board of Healing Arts indicates that passage of SB 497 may result in an increase in the number of complaints regarding practitioners alleged to have violated requirements of the bill. Increased complaints could result in an increase in the number of investigations that would need to be performed by Board staff and the number of disciplinary cases filed. Such increases would result in the need for additional staff and related operational expenses; however the Board is unable to determine what those additional costs would be.

The fiscal effect of the bill for KDHE would be limited to the promulgation of rules, regulations and guidelines. The Department has existing staff to perform these functions;

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therefore, the fiscal effect of the bill would be negligible. Any fiscal effect associated with SB 497 is not reflected in *The FY 2017 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,  
Director of the Budget

cc: Aaron Dunkel, Health & Environment  
Cathy Brown, Board of Healing Arts