

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 1028** HLS 14RS 1535
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.: **w/ PROP HSE FLOOR AMD**
 Sub. Bill For.:

Date: April 16, 2014 2:55 PM	Author: SCHEXNAYDER
Dept./Agy.: Health and Hospitals	Analyst: Patrice Thomas
Subject: Noncertified Copy of Original Birth Certificate to Adoptees	

ADOPTION EG INCREASE GF EX See Note Page 1 of 2
 Provides relative to certain birth records

Present law provides that an adopted person can with a court order gain confidential information regarding his/her birth from the sealed original birth records. Even with a court order, present law provides that no copies of the original birth certificate can be made. The adopted person can never see his/her pre-adoption information listed on the birth certificate. Present law provides for a voluntary registry, maintained by the Department of Children and Family Services (DCFS), for matching adoptees, birth parents, biological siblings or their descendants. Proposed law provides for registration, contact preference form, statement of family history, and release or redaction of information regarding the Adoption Reunion Registry by DCFS. Proposed law allows adopted persons that are 25 years of age or older to request a non-certified copy of their original birth certificate from the State Registrar of Vital Records within the Department of Health & Hospitals (DHH) only if the birth parent has consented to its release. Proposed law provides for one-year public awareness campaign by DCFS and Department of Public Safety. Proposed law becomes effective 09/01/2015.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	\$84,872	\$41,687	\$43,636	\$45,664	\$215,859
Agy. Self-Gen.	INCREASE	\$7,050	\$7,050	\$7,050	\$7,050	\$28,200
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total		\$91,922	\$48,737	\$50,686	\$52,714	\$244,059

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

EXPENDITURE EXPLANATION

This legislation is anticipated to increase state expenditures by \$297,116 in FY 15. Expenditures in the Office of Public Health (OPH) are anticipated to increase by \$92,720 in FY 15 as the result of adding two new positions to implement a new filing system and process non-certified original birth records requests. The OPH anticipates a new filing system will have to be developed so that all sealed adoptive birth certificates can be consistently filed (by birth year) and searchable by all Vital Records staff. As a result of the requirement to implement a public awareness campaign, expenditures in the Department of Children and Family Services are anticipated to increase by \$204,396 in FY 15. In FY 15, the Legislative Fiscal Office further anticipates an indeterminable, increase in expenditures in the Department of Public Safety as a result of this legislation.

Department of Health and Hospitals

Information from Vital Records indicates 2 years will be required to develop a new filing system. This will allow the agency to streamline antiquated filing systems and update work processes in order to best accommodate the requirements of the proposed legislation and easily unseal adoption records. Since this measure is retrospective, Vital Records anticipates it will need to hire 2 additional Administrative Coordinators (\$45,060 each) to restructure the existing filing system, which currently contains approximately 200,000 sealed adoption records, and handle the workload increase associated with re-filing all sealed records accordingly. One coordinator will develop the new filing system over a 2-year temporary appointment, and the other will be a permanent employee to process the anticipated influx of requests for unsealing original birth records of adoptions as they are received while also assisting with the development of the new filing system. Currently, it takes OPH approximately 3-5 hours to process requests for a birth certificate and 1 week to process requests to unseal adoptive birth records. In addition, OPH anticipates one-time supply expenses in the first year for new archival filing boxes of \$2,600.

	<u>FY 14-15</u>	<u>FY 15-16</u>	<u>FY 16-17</u>	<u>FY 17-18</u>	<u>FY 18-19</u>
1 - Admin Coord 3 (2-year temp)	\$45,060	\$45,060	\$0	\$0	\$0
1 - Admin Coord 3*	\$45,060	\$46,862	\$48,737	\$50,686	\$52,714
Supplies (one-time expense)	<u>\$2,600</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Total	\$92,720	\$91,922	\$48,737	\$50,686	\$52,714

*4% annual performance adjustment

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REVENUE EXPLANATION

Currently, the OPH assesses a service fee of \$15 per copy for a long-form birth certificate. Based on an estimated 470 new requests annually for non-certified original birth certificates, revenues generated from fees are anticipated to be \$7,050 (470 x \$15). In addition, this measure provides that the DCFS may assess registration and renewal fees of \$25 to birth parents, biological siblings, and an adoptee that submits information to the Adoption Reunion Registry. The Legislative Fiscal Office cannot anticipate the amount of fees that DCFS may collect from registrations and renewals.

- Senate Dual Referral Rules House 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
- 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}
- 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

John D. Carpenter
John D. Carpenter
Legislative Fiscal Officer

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CONTINUED EXPLANATION from page one:

EXPENDITURE EXPLANATION (Continued from Page 1)

Note:

Due to confidentiality, only the State Registrar and the Deputy State Registrar have access to sealed adoption envelopes. Under Louisiana law, Vital Records Registry (VRR) must maintain birth records for 100 years after the year of birth. Currently, the VRR maintains birth records from 1907 to the present (approximately 6.9 M records). In FY 13, OPH processed 165,983 requests for certified copies of birth certificates and issued 62,630 birth certificates each year. Although the exact number of requests for non-certified original birth is unknown, OPH estimates an average of 470 requests annually.

Existing Adoptive Birth Records Storage System

Since 1907, there have been three different methods of filing sealed envelopes containing birth records for adoptions. Presently, adoptive birth records are placed in sealed envelopes and filed in storage boxes according by year of adoption and post adoption name. Beginning in 2000, adoptive birth records were stored in alphabetical order as well as by year of adoption. Prior to 2000, older adoptive birth records are stored only by year of adoption. According to the agency, it takes approximately 1 week to process a request to unseal adoptive birth records. When an Order of Disclosure is received by Vital Records, rarely does the Order of Disclosure contain the year of adoption. Most adopted persons do not know the year that they were adopted. As a result, it takes 1 week to search the numerous boxes of stored adoptive records.

Department of Children and Family Services

The proposed legislation requires the Department of Children and Family Services (DCFS), which maintains the Adoption Reunion Registry, to develop a contact preference form and a statement of family history for birth parents to complete and file with the adoption registry. The forms will be placed on the department's website as well as revisions will be made to the current adoption registry policies. Every 5 years, DCFS must contact birth parents to update the family history statements. It is anticipated that printing an updated adoption registry brochure (including contact preference forms and statements of family history) can be accomplished with existing staff and resources.

In addition, the proposed legislation requires DCFS to undertake a one-year-long public awareness campaign from September 1, 2014 through August 31, 2015 that includes the following: (1) public service announcements to local and national radio stations and newspapers; (2) updating the DCFS website; (3) send notices to all physician's offices, religious institutions, social welfare organizations, retirements homes, and other relevant organizations and individuals; and (4) coordinate with the Department of Public Safety to place notices in motor vehicle registration renewal application and driver's license renewal application. The Legislative Fiscal Office anticipates a cost of at least \$204,396 to mail out notices as part of statewide public awareness campaign. Costs are estimated as follows: notices to physician's office - \$16,977; notices to churches - \$166,920; nursing homes - \$572; welfare resource organizations - \$19,269; public libraries - \$512; and hospitals - \$146. These estimates are based on projected costs associated with printing of 10 brochures per entity and postage. Additional costs may occur if additional entities not listed above are identified. This measure requires a national public awareness campaign if the national advertising is at no cost to the department.

Department of Public Safety

The proposed legislation requires the Department of Public Safety (DPS) in coordination with DCFS to enclose notices regarding the Adoption Reunion Registry and this proposed legislation with every motor vehicle registration renewal application and every driver's license renewal application issued by the Office of Motor Vehicles. Information provided by DPS indicates the current limitations of the existing pressure sealers used by the Office of Vehicles cannot add the notices to the renewal packets. In order to implement this proposed legislation, DPS would be required to redesign the forms and envelopes used for renewal packets. In FY 15, the Legislative Fiscal Office anticipates an indeterminable increase in state expenditures to redesign renewal forms and envelopes. Total expenditures will depend on the option DPS may choose to implement the department responsibilities as a result of this measure.

Table with legislative options: Senate, Dual Referral Rules, House, 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}, 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}, 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}, 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}, 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}. Includes signature of John D. Carpenter, Legislative Fiscal Officer.

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