

**HF91 - 2A - Abortion Regulations Modified**

Chief Author: **Tina Liebling**  
 Committee: **Health Finance And Policy**  
 Date Completed: **2/9/2023 8:47:02 AM**  
 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
<b>Health Dept</b>						
General Fund	-	(145)	(145)	(145)	(145)	(145)
Restrict Misc. Special Revenue	-	-	-	-	-	-
<b>Human Services Dept</b>						
General Fund	-	-	-	-	-	-
<b>Medical Practice Board</b>						
Health Related Boards	-	(15)	(15)	(15)	(15)	(15)
<b>State Total</b>						
General Fund	-	(145)	(145)	(145)	(145)	(145)
Restrict Misc. Special Revenue	-	-	-	-	-	-
Health Related Boards	-	(15)	(15)	(15)	(15)	(15)
<b>Total</b>	-	<b>(160)</b>	<b>(160)</b>	<b>(160)</b>	<b>(160)</b>	<b>(160)</b>
<b>Biennial Total</b>			<b>(320)</b>			<b>(320)</b>

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

**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.

**LBO Signature:** Kate Schiller    **Date:** 2/9/2023 8:47:02 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.

<b>State Cost (Savings) = 1-2</b>	<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
<b>Health Dept</b>					
General Fund	-	(145)	(145)	(145)	(145)
Restrict Misc. Special Revenue	-	-	-	-	-
<b>Human Services Dept</b>					
General Fund	-	-	-	-	-
<b>Medical Practice Board</b>					
Health Related Boards	-	(15)	(15)	(15)	(15)
<b>Total</b>	<b>-</b>	<b>(160)</b>	<b>(160)</b>	<b>(160)</b>	<b>(160)</b>
<b>Biennial Total</b>			<b>(320)</b>		<b>(320)</b>
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>					
<b>Health Dept</b>					
General Fund					
Expenditures	-	(96)	(96)	(96)	(96)
Absorbed Costs	-	(49)	(49)	(49)	(49)
Restrict Misc. Special Revenue	-	(15)	(15)	(15)	(15)
<b>Human Services Dept</b>					
General Fund	-	-	-	-	-
<b>Medical Practice Board</b>					
Health Related Boards	-	(15)	(15)	(15)	(15)
<b>Total</b>	<b>-</b>	<b>(175)</b>	<b>(175)</b>	<b>(175)</b>	<b>(175)</b>
<b>Biennial Total</b>			<b>(350)</b>		<b>(350)</b>
<b>2 - Revenues, Transfers In*</b>					
<b>Health Dept</b>					
General Fund					
Restrict Misc. Special Revenue	-	(15)	(15)	(15)	(15)
<b>Human Services Dept</b>					
General Fund	-	-	-	-	-
<b>Medical Practice Board</b>					
Health Related Boards	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>(15)</b>	<b>(15)</b>	<b>(15)</b>	<b>(15)</b>
<b>Biennial Total</b>			<b>(30)</b>		<b>(30)</b>

**HF91 - 2A - Abortion Regulations Modified**

Chief Author: **Tina Liebling**  
 Committee: **Health Finance And Policy**  
 Date Completed: **2/9/2023 8:47:02 AM**  
 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)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	(145)	(145)	(145)	(145)	(145)
Restrict Misc. Special Revenue	-	-	-	-	-	-
<b>Total</b>	-	<b>(145)</b>	<b>(145)</b>	<b>(145)</b>	<b>(145)</b>	<b>(145)</b>
<b>Biennial Total</b>			<b>(290)</b>		<b>(290)</b>	<b>(290)</b>

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	-	-	-	-	-
<b>Total</b>	-	<b>(1.1)</b>	<b>(1.1)</b>	<b>(1.1)</b>	<b>(1.1)</b>

**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:** 2/8/2023 2:43:32 PM  
**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.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>		<b>Biennium</b>		
<b>Dollars in Thousands</b>		<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
General Fund	-	(145)	(145)	(145)	(145)	(145)
Restrict Misc. Special Revenue	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>(145)</b>	<b>(145)</b>	<b>(145)</b>	<b>(145)</b>	<b>(145)</b>
	<b>Biennial Total</b>		<b>(290)</b>	<b>(290)</b>		<b>(290)</b>
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
General Fund						
Expenditures	-	(96)	(96)	(96)	(96)	(96)
Absorbed Costs	-	(49)	(49)	(49)	(49)	(49)
Restrict Misc. Special Revenue	-	(15)	(15)	(15)	(15)	(15)
<b>Total</b>	<b>-</b>	<b>(160)</b>	<b>(160)</b>	<b>(160)</b>	<b>(160)</b>	<b>(160)</b>
	<b>Biennial Total</b>		<b>(320)</b>	<b>(320)</b>		<b>(320)</b>
<b>2 - Revenues, Transfers In*</b>						
General Fund						
Restrict Misc. Special Revenue	-	(15)	(15)	(15)	(15)	(15)
<b>Total</b>	<b>-</b>	<b>(15)</b>	<b>(15)</b>	<b>(15)</b>	<b>(15)</b>	<b>(15)</b>
	<b>Biennial Total</b>		<b>(30)</b>	<b>(30)</b>		<b>(30)</b>

**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. Amendment HF91-2A modifies the criminal code in 609.2662 to 609.268, to exempt persons providing abortions. All sections are effective the day following final enactment.

**Assumptions**

Repeal of Minnesota Statutes, sections 145.4243-44 results in elimination of 0.85 FTE staff 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 HF91-1A 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.

The HF91-2A amended bill version has no costs to the department.

**Expenditure and/or Revenue Formula**

<b>Expenditure (Actual Dollars)</b>	<b>Amount</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Salary &amp; Fringe:</b>		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)
	<b>FTE</b>	<b>(1.10)</b>	<b>(1.10)</b>	<b>(1.10)</b>	<b>(1.10)</b>
	<b>Subtotal</b>	<b>(114,298)</b>	<b>(114,298)</b>	<b>(114,298)</b>	<b>(114,298)</b>
<b>Information Technology:</b>					
MNIT costs to maintain Minnesota Registration & Certification (MR&C) ITOP reporting module		(6,000)	(6,000)	(6,000)	(6,000)
	<b>Subtotal</b>	<b>(6,000)</b>	<b>(6,000)</b>	<b>(6,000)</b>	<b>(6,000)</b>
<b>Other Operating Costs:</b>					
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)
	<b>Subtotal</b>	<b>(24,334)</b>	<b>(24,334)</b>	<b>(24,334)</b>	<b>(24,334)</b>
<b>Grants, Aids &amp; Subsidies:</b>					
	<b>Subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Expenditure</b>	<b>Total</b>	<b>(144,632)</b>	<b>(144,632)</b>	<b>(144,632)</b>	<b>(144,632)</b>
<b>Fiscal Tracking (Dollars in Thousands)</b>		<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Health Improvement BACT 01</b>		(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:** 2/8/2023 2:39:06 PM

**Email:** [health.fiscalnotes@state.mn.us](mailto:health.fiscalnotes@state.mn.us)

**HF91 - 2A - Abortion Regulations Modified**

Chief Author: **Tina Liebling**  
 Committee: **Health Finance And Policy**  
 Date Completed: **2/9/2023 8:47:02 AM**  
 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	-	-	-	-	-	-
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>			-			-

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

**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:** Steve McDaniel **Date:** 1/27/2023 9:15:42 AM  
**Phone:** 651-284-6437 **Email:** steve.mcdaniel@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.

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

**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 4:39:00 PM

**Phone:** 651-247-3698

**Email:** [christopher.zempel@state.mn.us](mailto:christopher.zempel@state.mn.us)

**HF91 - 2A - Abortion Regulations Modified**

Chief Author: **Tina Liebling**  
 Committee: **Health Finance And Policy**  
 Date Completed: **2/9/2023 8:47:02 AM**  
 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)
<b>Total</b>	-	<b>(15)</b>	<b>(15)</b>	<b>(15)</b>	<b>(15)</b>	<b>(15)</b>
<b>Biennial Total</b>			<b>(30)</b>			<b>(30)</b>

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

**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:** Shannon Zila    **Date:** 1/30/2023 9:39:34 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.

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

**Bill Description**

This bill 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:** 1/27/2023 8:37:40 AM

**Phone:** 612-548-2150

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**HF91 - 2A - Abortion Regulations Modified**

Chief Author: **Tina Liebling**  
 Committee: **Health Finance And Policy**  
 Date Completed: **2/9/2023 8:47:02 AM**  
 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
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>				-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>	-	-	-	-	-	-

**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:** Shannon Zila    **Date:** 2/3/2023 9:02:23 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.

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

**Bill Description**

The bill modification clarifies the who may provide reproductive health care for the purposes of terminating pregnancy.

**Assumptions**

The bill does not assign responsibility to the Board of Nursing for any portion of this process. There is no fiscal impact for the Board of Nursing.

**Expenditure and/or Revenue Formula**

There is no fiscal impact for the Board of Nursing.

**Long-Term Fiscal Considerations**

**Local Fiscal Impact**

**References/Sources**

**Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Kimberly Miller

**Phone:** 612-317-3025

**Date:** 2/2/2023 2:13:20 PM

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