

February 16, 2011

The Honorable Steve Brunk, Chairperson
House Committee on Federal and State Affairs
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Brunk:

SUBJECT: Fiscal Note for HB 2218 by Representative Kinzer, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2218 is respectfully submitted to your committee.

HB 2218 would amend current law relating to restrictions on late term abortions based on the capacity of the unborn child to feel pain. The bill would define "pain-capable unborn child," as an unborn child that has reached the gestational age of 22 weeks or more. HB 2218 would establish physician requirements for determining the gestational age of the unborn child and establish requirements for physicians performing abortions upon a pain-capable unborn child. The bill would also set severity levels for a conviction of a violation of the law. The Kansas Department of Health and Environment would be required to adopt rules and regulations to implement the bill and specify the details of new referral, record keeping, and reporting requirements for physicians performing abortions. The bill would also amend current law regarding "bodily function" to be defined as physical function and would exclude mental or emotional functions.

The Board of Healing Arts indicates that passage of the bill could increase the number of investigations and disciplinary cases assigned to the Board. If there is an increase in the number of investigations assigned to the Board, related operational expenses would also increase. Should any increase in cases be negligible, the bill could be implemented with current staffing and within existing operating expenditure limits.

No response to a request for fiscal information sent to the Kansas Department of Health and Environment has been received. Should additional information change the nature of the fiscal effect of the bill, a revised fiscal note will be prepared.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Pat Kuester, KDHE

Cathy Brown, Healing Arts