

**COMMONWEALTH OF KENTUCKY FISCAL NOTE STATEMENT
LEGISLATIVE RESEARCH COMMISSION
2019 REGULAR SESSION**

MEASURE

2019 BR NUMBER 0949

HOUSE BILL NUMBER HB5GA/SFA1

TITLE AN ACT relating to the human rights of unborn children to not be discriminated against and declaring an emergency.

SPONSOR Senator Reginald Thomas

FISCAL SUMMARY

STATE FISCAL IMPACT: YES NO UNCERTAIN

OTHER FISCAL STATEMENT(S) THAT MAY APPLY: ACTUARIAL ANALYSIS LOCAL MANDATE CORRECTIONS IMPACT HEALTH BENEFIT MANDATE

APPROPRIATION UNIT(S) IMPACTED: Department for Medicaid Services

FUND(S) IMPACTED: GENERAL ROAD FEDERAL RESTRICTED _____

FISCAL ESTIMATES	2018-2019	2019-2020	ANNUAL IMPACT AT FULL IMPLEMENTATION
REVENUES			
EXPENDITURES		Indeterminable	Indeterminable
NET EFFECT		(Indeterminable)	(Indeterminable)

() indicates a decrease/negative

PURPOSE OF MEASURE: The amendment allows any person who is born with a disability, including Down syndrome, whose mother would have aborted if not for the provisions of the legislation, be eligible for health insurance coverage for the life of the person.

FISCAL EXPLANATION: The Cabinet for Health and Family Services (CHFS) estimates the amendment would have a fiscal impact on the agency.

The amendment requires that any child born with a disability, including Down syndrome, that is not aborted due to the provisions of the legislation, has all health expenses covered for the life of the child with no asset/income tests required. According to the Department for Medicaid Services (DMS), it is anticipated that a high number of individuals would be eligible for medical coverage. In order to utilize federal dollars, DMS would attempt to create a specialized 1915(c) waiver to make all children eligible. If the waiver is denied, then all costs would come from the General Fund.

Without the ability to check assets and income, DMS anticipates many individuals would become eligible for services that currently are not deemed eligible and possibly would move from other states to obtain services. According to DMS, currently 3 percent of births will have a birth defect. In 2015, Kentucky reported 55,716 live births. Based on this data, the approximate initial population impact would be 1,671 children. The average cost per child for current waivers are approximately \$5,000 per month. This equates to approximately \$8.4 million dollars per month in cost of the initial population.

However, without knowing how many persons would seek an abortion or come from other states to seek an abortion, then not abort due to the provisions of the legislation, the total cost is indeterminable.

DATA SOURCE(S): Cabinet for Health and Family Services

PREPARER: KWN NOTE NUMBER: 137 REVIEW: JAB DATE: 3/13/2019