## Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

## **Part I: Measure Information**

Bill Request #: 119	7					
Bill #: HB 216						
<b>Document ID #:</b> <u>24</u>	15					
•	AN ACT prohibiting the payment of public agency funds to any entity that performs, induces, refers for, or counsels in favor of abortions.					
Sponsor: Representative Lynn Bechler						
Unit of Government:	XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment					
Office(s) Impacted: Local health departments						
Requirement: X Mandatory Optional						
Effect on Powers & Duties: X	Modifies Existing X Adds New Eliminates Existing					

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

Current law prohibits using public agency funds to obtain or pay for an abortion. (KRS 311.715) HB 216 would extend this prohibition by prohibiting public agency funds, regardless of the original source of the funds, from being paid to any entity, organization, or individual that performs, induces, refers for, or counsels in favor of abortions.

**HB 216 would not increase expenditures or revenues and would have no fiscal impact on local government.** Kentucky has 61 local health departments, 52 of which received federal Title X funding for family planning services in FY2020. The total amount of Title X funding received by the Kentucky Department for Public Health was \$5.9 million; however, only \$2 million was distributed to local health departments. (The remainder was distributed to not-for-profit health care centers that offer comprehensive health care services.) There is approximately \$2.2 million in local government tax and unrestricted funds that were also used for family planning, which represents 36% for support of total program expenditures of \$6.1 million. The other revenue streams funding these costs for

local health departments included Medicaid (\$1.2 million), private insurance (\$0.3 million), restricted carryover (\$0.3 million), patient fees (\$0.1 million), and other state funds (\$0.1 million).

42 CFR Section 59 requires states to provide family planning services, referral to a health care provider for medically necessary prenatal care upon confirmation of a pregnancy, and referral arrangements for emergency medical care. The federal grant recipient must not provide, promote, refer for, or support abortion as a method of family planning.

KRS 311.715 prohibits the law from being deemed "to deprive a woman of all appropriate medical care necessary to prevent her physical death." Therefore, there should be no threat of loss of Title X grant funding to local health departments for any referral arrangements provided for emergency medical care, which may include a referral for a possible emergent medical necessary abortion.

## Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II, above, refers to the introduced version of the bill.

Data Source(s):	LRC staff; Cabinet for Families and Children, Department for Public					
	Health; 42 CFR Sec. 59					

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