

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 560 (Delegate O'Donnell. *et al.*)

Environmental Matters

Parental Rights Act of 1998

This bill restricts the conditions under which a minor has the same capacity as an adult to consent to medical treatment. It repeals: (1) the authority of a minor to have the same capacity as an adult to consent to treatment for or advice about pregnancy and contraception; (2) the provision that a physician treating a minor is not liable for civil damages or subject to any criminal or disciplinary penalty because the minor did not have the capacity to consent; and (3) the provision that, without the consent of a minor, a physician is prohibited from giving a parent or guardian information about an abortion.

Fiscal Summary

State Effect: Indeterminate effect on general fund expenditures. Minimal increase in general fund revenues.

Local Effect: Indeterminate effect on expenditures. Revenues would not be affected.

Small Business Effect: Potential meaningful. Repeal of physicians' immunity could adversely affect physicians in small or individual practices.

Fiscal Analysis

State Revenues: General fund revenues could increase by an indeterminate amount as a result of the bill's repeal of a physician's immunity from disciplinary penalties. It is assumed that any increase in disciplinary penalty revenues would be minimal.

State Expenditures: General fund expenditures could decrease to the extent that the bill's provisions result in fewer minors receiving information or prevention services. Any such decrease is assumed to be minimal. However, expenditures for Medicaid and/or public assistance could increase to the extent that restriction of adolescents' access to counseling and treatment for preventable conditions results in unplanned pregnancies, lack of prenatal care, or sexually transmitted diseases.

Local Expenditures: Expenditures in local health departments could decrease to the extent that the bill's provisions result in fewer minors receiving prevention information or services. Any such decrease is assumed to be minimal. However, public health care expenditures could increase to the extent that restriction of adolescents' access to counseling and treatment for preventable conditions results in unplanned pregnancies, lack of prenatal care, or sexually transmitted diseases.

Information Source(s): Department of Health and Mental Hygiene (Alcohol and Drug Abuse Administration, Mental Hygiene Administration, Community and Public Health Administration), Health Claims Arbitration Office, Department of Legislative Services

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