

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 94 (Delegate O'Donnell)

Environmental Matters

Parental Rights Act of 1999

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. The civil and criminal penalty provisions of this bill are not expected to significantly affect State finances or operations.

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: The civil and criminal penalty provisions of this bill are not expected to significantly affect State revenues.

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. The criminal penalty provisions of this bill are not expected to significantly affect State expenditures.

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. The criminal penalty provisions of this bill are not expected to significantly affect local expenditures.

Information Source(s): Department of Health and Mental Hygiene (Community and Public Health Administration, Medical Care Programs Administration), Health Claims Arbitration Office, Department of Legislative Services

Fiscal Note History: First Reader - February 15, 1999

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