

**Department of Legislative Services**  
 Maryland General Assembly  
 2004 Session

**FISCAL AND POLICY NOTE**

House Bill 209 (Chairman, Health and Government Operations Committee)  
 (By Request – Departmental – Health and Mental Hygiene)

Health and Government Operations

Finance

**Vital Statistics Administration - Adjudications of Paternity - Repeal  
 Requirement for Fee**

This departmental bill repeals the \$12 adjudication of paternity processing fee collected by the Department of Health and Mental Hygiene’s (DHMH) Vital Statistics Administration (VSA).

**Fiscal Summary**

**State Effect:** General fund revenues would decrease by \$6,300 in FY 2005. No discernible effect on expenditures. Future years reflect annualization.

(in dollars)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
GF Revenue	(\$6,300)	(\$8,400)	(\$8,400)	(\$8,400)	(\$8,400)
Expenditure	\$0	\$0	\$0	\$0	\$0
Net Effect	(\$6,300)	(\$8,400)	(\$8,400)	(\$8,400)	(\$8,400)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** DHMH has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

**Analysis**

**Current Law:** DHMH collects a \$12 fee: (1) for each certified or abridged copy of a birth, death, fetal death, marriage, or divorce verification certificate; (2) for a report that a search of the files was made and the requested record is not on file; (3) for each change to

a certificate made later than one year after the certificate was registered with DHMH; and (4) to process an adoption, foreign adoption, legitimation, or adjudication of paternity.

**Background:** If a court approves an application for adjudication of paternity, the Division of Vital Records (DVR) receives a court order to process the adjudication of paternity and amend the relevant vital record. The court does not collect the processing fee from the applicant. Instead, DVR must attempt to locate the responsible person and collect the fee before amending the vital record. According to DVR, it is difficult for staff to find the responsible person because there usually is not any contact information on the court order. When DVR does contact the responsible person, the individual sometimes is unwilling to send in the fee.

As a result, DVR states it is often delayed or unable to comply with court orders, which denies a child the right to have his or her legal father's name on the birth certificate.

**State Fiscal Effect:** General fund revenues would decrease by \$6,300 in fiscal 2005, which accounts for the bill's October 1, 2004 effective date. On an annual basis the loss is \$8,400. This estimate reflects the lost fee revenue for about 700 adjudications of paternity annually.

DVR estimates that collecting this fee requires 235 hours of clerical staff time annually, supervisor's time, postage, and local and long distance telephone charges. While DVR estimates this cost at \$4,000 annually, almost all of that is accounting for staff time. However, existing employee hours will not be reduced and positions will not be eliminated as a result of this bill. Any expenditure decrease would thus be negligible.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - January 30, 2004  
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