Department of Planning and Budget
2001 Fiscal Impact Statement

1. **Bill Number** SB 1211

   House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

   Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. **Patron**   Forbes, J. Randy

3. **Committee**   Courts of Justice

4. **Title**   Informed Consent to Perform Abortion

5. **Summary/Purpose:** This bill defines "informed consent" as a knowing and voluntary written agreement prepared by the physician or his agent to perform the abortion. It requires information on abortion to be provided to the woman by the physician who will perform the abortion, or by a licensed professional or practical nurse working under the supervision of either the physician who is to perform the abortion, or the referring physician by telephone or in person. The information will include; (1) a comprehensive medical explanation of the nature, benefits, risks and alternatives of the proposed procedures; (2) instruction that the woman may withdraw her consent; (3) an offer to speak with the physician who is to perform the abortion to answer any questions about the procedure; (4) a statement of the probable gestational age of the fetus; and (5) an offer to review printed materials, which if she chooses to do so, must be given to her at least 24 hours before the abortion, or mailed at least 72 hours before the abortion. The physician does not need to obtain the informed written consent of the woman if the abortion is performed pursuant to a medical emergency. VDH must provide information on public and private agencies and services available to help a woman through pregnancy, upon the childbirth, and while the child is dependent, including information on adoption, paternity establishment and child support enforcement, child development, child rearing, stress management, and pediatric and maternal health care. VDH and local health departments must provide information to any person or entity at no charge, that includes accurate pictures of the characteristics of the unborn child at two-week gestational increments, descriptions of the common abortion methods used, risks of each procedure, possible psychological and other effects and medical risks of carrying the child to term. Any physician who fails to comply shall be subject to a $2,500 civil penalty.

6. **Fiscal impact estimates are final**

   Expenditure Impact:

Fiscal Year	Dollars	Positions	Fund
2001-02	$107,771	-	-
2002-03	$93,375	-	-

7. **Budget amendment necessary:** No. The agency has identified resources that can be used to defray the costs associated with this legislation; therefore no additional funding will be necessary.

8. **Fiscal implications:** The expenditure figures listed above includes $18,571 in personnel costs for a part-time program support position to respond to telephone and other inquiries, mail out the required informational pamphlets, provide statistical information and to meet all administrative duties. An additional $6,000 in ongoing support costs are included in each year and includes telecommunications costs, supplies and materials. An additional $4,500 is included in the first year for the cost of the cost of a computer and office furniture. The most significant expense in this impact statement is the cost of the brochures. This statement reflects the cost of using photographic images of the gestational periods in the pamphlets at a cost of $66,700 per year ($2 per pamphlet; an estimated 33,350 pamphlets based on historical data concerning applicable hospital visits). This cost estimate is based on the market price for photographs currently available for this purpose. An additional one-time cost in the first year estimated at $15,000 is necessary for the printer's set-up of such pamphlets.

9. **Specific agency or political subdivisions affected:**
Virginia Department of Health

10. **Technical amendment necessary:** No.

11. **Other comments:** None.

Date: 1/30/01
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cc: Secretary of Health and Human Resources