

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2016-17</b>		<b>FY 2017-18</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	10,000		10,000	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	10,000		10,000	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

The bill prohibits dismemberment abortions except in the case of an emergency. A physician accused of violating this prohibition may request a hearing before Board of Medicine and Surgery.

The Department of Health and Human Services anticipates two additional meeting of the Board of Medicine and Surgery may be needed. The cost is approximately \$10,000 each year. The costs would be paid from cash funds.

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

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Date Prepared:(4) 1-20-16

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	<u>FY 2016-2017</u>		<u>FY 2017-2018</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>	\$10,000		\$10,000	
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$10,000		\$10,000	

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

**Explanation of Estimate:**

LB 767 defines dismemberment abortion and prohibits its performance except in defined emergency situations. A physician accused of violating this prohibition may seek a hearing before the Board of Medicine and Surgery on whether the dismemberment abortion was necessary. It establishes those persons who may maintain a cause of action for injunctive relief against a physician who has performed or attempted to perform a dismemberment abortion. It establishes those persons who may maintain a cause of action for civil damages against a physician who has performed a dismemberment abortion. It establishes a violation of Section 4 of the act as a Class IV felony (performance of dismemberment abortion except in emergency situation). Lastly, it establishes dismemberment abortion as unprofessional conduct for physicians performing the procedure.

As a result of LB 767, two additional Board of Medicine and Surgery meetings may be necessary each year at \$2,500 per meeting and there will be the additional costs of calling in expert witnesses, estimated at \$2,500 per meeting. No additional staff will be necessary for the Department to implement LB 767.

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2016-2017	2017-2018
		16-17	17-18	EXPENDITURES	EXPENDITURES
Benefits.....					
Operating.....				\$10,000	\$10,000
Travel.....					
Capital Outlay.....					
Aid.....					
Capital Improvements.....					
<b>TOTAL.....</b>				\$10,000	\$10,000