

Fiscal Estimate Narratives

DHS 7/2/2013

LRB Number	13-1700/1	Introduction Number	AB-0252	Estimate Type	Original
Description Disposition of fetal remains and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Current law does not contain specific provisions regarding the disposal or final disposition of fetal remains other than stillbirths. This bill requires a physician who performs or induces an abortion to arrange for the final disposition of the fetal remains resulting from an abortion. Abortion is defined as the use of an instrument, medicine, drug or other substance or device with intent to terminate the pregnancy and does not include procedures to remove a dead fetus. The physician is not required to discuss the final disposition of the fetal remains with the mother or obtain authorization from the mother for the final disposition of the fetal remains upon completion of the abortion. The final disposition of a stillbirth or any fetal remains that are not the result of an abortion is left to a funeral director or another person who assumes responsibility. Final disposition for fetal remains may be burial, interment, entombment, cremation, incineration, or delivery to a medical or dental school anatomy department as an anatomical gift. Any person who violates the fetal remains disposition requirement is subject to up to a \$1,000 fine for each violation.

The Wisconsin Funeral and Cemetery Aids Program (WFCAP) provides funding for burial, funeral, and cemetery services for stillborn children of women enrolled in Medicaid. It is not expected that this bill would result in additional costs for the WFCAP program. Medicaid provides reimbursement for abortions that are medically necessary to save the life of the woman or in the case of sexual assault or incest. Under this bill, the physician performing the abortion would be responsible for the final disposition of the fetal remains. It is not expected that this bill would increase Medicaid costs.

This bill is not expected to have a fiscal effect on the Department or on local public health departments.

Long-Range Fiscal Implications