Multiple Agency Fiscal Note Summary

Bill Number: 5768 SB	**Title:** Protecting access to abortion medications by authorizing the department of corrections to acquire, sell, deliver, distribute, and dispense abortion medications

Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Corrections	950,000	950,000	950,000	475,000	475,000	475,000	0	0	0
Total $	**950,000**	**950,000**	**950,000**	**475,000**	**475,000**	**475,000**	**0**	**0**	**0**

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	4.0	1,642,000	1,642,000	1,642,000	2.0	811,000	811,000	811,000	.0	0	0	0
Department of Corrections	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Total $	**4.0**	**1,642,000**	**1,642,000**	**1,642,000**	**2.0**	**811,000**	**811,000**	**811,000**	**0.0**	**0**	**0**	**0**

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Total $	**0.0**	**0**	**0**	**0.0**	**0**	**0**	**0.0**	**0**	**0**

Estimated Capital Budget Breakout

NONE

Prepared by: Cynthia Hollimon, OFM	Phone: (360) 810-1979	Date Published: Final 4/ 8/2023

Individual State Agency Fiscal Note

Bill Number: 5768 SB	**Title:** Protecting access to abortion medications by authorizing the department of corrections to acquire, sell, deliver, distribute, and dispense abortion medications	**Agency:** 100-Office of Attorney General

Part I: Estimates

☒ **No Fiscal Impact**

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☐ If fiscal impact is greater than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐ If fiscal impact is less than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐ Capital budget impact, complete Part IV.

☐ Requires new rule making, complete Part V.

Legislative Contact:	Sarian Scott	Phone: 360-786-7729	Date: 04/04/2023
Agency Preparation:	Cam Comfort	Phone: (360) 664-9429	Date: 04/05/2023
Agency Approval:	Dianna Wilks	Phone: 360-709-6463	Date: 04/05/2023
OFM Review:	Cheri Keller	Phone: (360) 584-2207	Date: 04/05/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The AGO Agriculture and Health Division (AHD) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Health (DOH). This bill would give new authority to Department of Corrections (DOC) related to the acquisition, dispensing, and distribution of abortion medications for the benefit of the general public. The activity will generally be subject to Pharmacy Quality Assurance Commission regulatory oversight, but any regulatory action and related legal work is likely to be very minimal. New legal services are nominal, and costs are not included in this request.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 5768 SB	**Title:** Protecting access to abortion medications by authorizing the department of corrections to acquire, sell, deliver, distribute, and dispense abortion medications	**Agency:** 303-Department of Health

Part I: Estimates

☒ **No Fiscal Impact**

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☐ If fiscal impact is greater than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐ If fiscal impact is less than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐ Capital budget impact, complete Part IV.

☐ Requires new rule making, complete Part V.

Legislative Contact:	Sarian Scott	Phone: 360-786-7729	Date: 04/04/2023
Agency Preparation:	Sheri Spezze	Phone: (360) 236-4557	Date: 04/05/2023
Agency Approval:	Kristin Bettridge	Phone: 3607911657	Date: 04/05/2023
OFM Review:	Breann Boggs	Phone: (360) 485-5716	Date: 04/05/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The bill does not require the Department of Health to adopt rules or accomplish any other work; as a result, there is no fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Revised

Bill Number: 5768 SB	Title: Protecting access to abortion medications by authorizing the department of corrections to acquire, sell, deliver, distribute, and dispense abortion medications	Agency: 310-Department of Corrections

Part I: Estimates

☐ **No Fiscal Impact**

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-State 001-1	475,000	475,000	950,000	475,000	
Total $	475,000	475,000	950,000	475,000	

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	4.0	4.0	4.0	2.0	0.0
Account					
General Fund-State 001-1	831,000	811,000	1,642,000	811,000	0
Total $	831,000	811,000	1,642,000	811,000	0

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☒ If fiscal impact is greater than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐ If fiscal impact is less than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐ Capital budget impact, complete Part IV.

☐ Requires new rule making, complete Part V.

Legislative Contact:	Sarian Scott	Phone: 360-786-7729	Date: 04/04/2023
Agency Preparation:	Ronell Witt	Phone: (360) 489-4417	Date: 04/08/2023
Agency Approval:	Ronell Witt	Phone: (360) 489-4417	Date: 04/08/2023
OFM Review:	Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/08/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 2(1) is a new section that states the department is authorized to acquire, receive, possess, sell, resell, deliver, dispense, distribute, and engage in any activity constituting the practice of pharmacy or wholesale distribution with respect to abortion medications.

Section 2(2) is a new section states (2) The department may exercise the authority granted in this section for the benefit of any person, whether or not the person is in the custody or under the supervision of the department.

Section 2(4) is a new section states the department shall establish and operate a program to deliver, dispense, and distribute abortion medications described in this section. Any abortion medications sold, resold, delivered, dispensed, or distributed whether individually or wholesale shall be conducted at-cost not to exceed list price, plus a fee of $5 per dose. Revenues generated pursuant to this act shall be deposited to the general fund.

Section 3(6)(b) amends RCW 18.64.046 states that is exempt from obtaining a wholesaler licenses as required in section 1 of these act.

Section 4 is a new section that states this act applies retroactively and prospectively.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

The DOC assumes that 10,000 doses would be distributed annually for 3 fiscal years (FY24 thru FY26) at a base cost plus $5 charge for a projected yearly revenue of $475,000 for those 3 years to be deposited in the general fund.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The Department of Corrections (DOC) assumes a determinate fiscal impact of $831,000 in fiscal year (FY) 2024, and $811,000 in FY2025 and FY2026 for enhanced security and administrative costs. In addition, there is an indeterminate impact relating the distribution program of the medication that will be "trued-up" in a future decision package.

Due to the potential safety and security risks, DOC requests $200,000 annually for the duration of this program to enhance security.

It is assumed there will be an indeterminate cost associated with establishing and operating a program to deliver the medications as stated in the bill. However, DOC requests an upfront cost of one Medical Band WMS3 Pharmacy Officer, one Project Manager, one Pharmacy Technician, and one Fiscal Analyst 2 positions that will all play vital roles in the establishment and oversight of this program, along with the daily operations.

Anticipated costs in FY2024: 4.0 FTEs and $765,000 in funds, inclusive of all FTE costs.
Anticipated costs in FY2025 and FY2026: 4.0 FTEs and $745,000 in funds, inclusive of all FTE costs.

The DOC also requests funding for the indirect costs of agency administration which includes 0.4 FTEs and $58,000 in FY2024, and ongoing, for the purpose of implementing this legislation. The approved agency indirect rate and associated cost of administration are calculated based on the salaries and benefits of staff conducting back office administrative functions, divided by all remaining salaries and benefits.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	831,000	811,000	1,642,000	811,000	0
		Total $	831,000	811,000	1,642,000	811,000	0

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	4.0	4.0	4.0	2.0	
A-Salaries and Wages	404,000	404,000	808,000	404,000	
B-Employee Benefits	129,000	129,000	258,000	129,000	
C-Professional Service Contracts					
E-Goods and Other Services	216,000	216,000	432,000	216,000	
G-Travel	2,000	2,000	4,000	2,000	
J-Capital Outlays	22,000	2,000	24,000	2,000	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	58,000	58,000	116,000	58,000	
9-					
Total $	831,000	811,000	1,642,000	811,000	0

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Fiscal Analyst 2	70,287	1.0	1.0	1.0	0.5	
Pharmacy Technician	68,603	1.0	1.0	1.0	0.5	
WMS02	110,000	1.0	1.0	1.0	0.5	
WMS03	154,689	1.0	1.0	1.0	0.5	
Total FTEs		4.0	4.0	4.0	2.0	0.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administration & Support Services (100)	163,000	158,000	321,000	158,000	
Health Services (500)	660,000	645,000	1,305,000	645,000	
Interagency Payments (600)	8,000	8,000	16,000	8,000	
Total $	831,000	811,000	1,642,000	811,000	

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Multiple Agency Ten-Year Analysis Summary

Bill Number	Title
5768 SB	Protecting access to abortion medications by authorizing the department of corrections to acquire, sell, deliver, distribute, and dispense abortion medications

This ten-year analysis is limited to the estimated cash receipts associated with the proposed tax or fee increases.

Estimated Cash Receipts

	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Office of Attorney General	0	0	0	0	0	0	0	0	0	0	0
Department of Health	0	0	0	0	0	0	0	0	0	0	0
Department of Corrections	475,000	475,000	475,000	0	0	0	0	0	0	0	1,425,000
Total	**475,000**	**475,000**	**475,000**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1,425,000**

Ten-Year Analysis

Bill Number	Title	Agency
5768 SB	Protecting access to abortion medications by authorizing the department of corrections to acquire, sell, deliver, distribute, and dispense abortion medications	100 Office of Attorney General

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at http://www.ofm.wa.gov/tax/default.asp .

Estimates

X No Cash Receipts

☐ Partially Indeterminate Cash Receipts

☐ Indeterminate Cash Receipts

Name of Tax or Fee	Acct Code										

Agency Preparation: Cam Comfort	Phone: (360) 664-9429	Date: 4/5/2023 1:28:59 pm
Agency Approval: Dianna Wilks	Phone: 360-709-6463	Date: 4/5/2023 1:28:59 pm
OFM Review:	Phone:	Date:

Ten-Year Analysis

Bill Number	Title	Agency
5768 SB	Protecting access to abortion medications by authorizing the department of corrections to acquire, sell, deliver, distribute, and dispense abortion medications	303 Department of Health

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at http://www.ofm.wa.gov/tax/default.asp .

Estimates

X **No Cash Receipts** ☐ **Partially Indeterminate Cash Receipts** ☐ **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code										

Agency Preparation: Sheri Spezze	Phone: (360) 236-4557	Date: 4/5/2023 9:42:45 am
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 4/5/2023 9:42:45 am
OFM Review:	Phone:	Date:

Ten-Year Analysis

Bill Number	Title	Agency
5768 SB	Protecting access to abortion medications by authorizing the department of corrections to acquire, sell, deliver, distribute, and dispense abortion medications	310 Department of Corrections

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at http://www.ofm.wa.gov/tax/default.asp .

Estimates

☐ **No Cash Receipts** ☐ **Partially Indeterminate Cash Receipts** ☐ **Indeterminate Cash Receipts**

Estimated Cash Receipts

Name of Tax or Fee	Acct Code	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Abortion Fee Recovery	001	475,000	475,000	475,000								1,425,000
Total		**475,000**	**475,000**	**475,000**								**1,425,000**

	2023-25	2025-27				2024-33 TOTAL
Biennial Totals	950,000	475,000				1,425,000

Narrative Explanation (Required for Indeterminate Cash Receipts)

The Department of Corrections (DOC) assumes that 10,000 doses would be distributed annually for 3 fiscal years (FY24 thru FY26) at a base cost plus $5 charge for a projected yearly revenue of $50,000 for those 3 years to be deposited in the general fund. The DOC will also collect the cost of $42.50 per dose of Mifreprsitone at an an recovery of $475,000.

Agency Preparation: Ronell Witt	Phone: (360) 489-4417	Date: 4/8/2023 8:07:59 am
Agency Approval: Ronell Witt	Phone: (360) 489-4417	Date: 4/8/2023 8:07:59 am
OFM Review:	Phone:	Date: