

### Fiscal Estimate - 2017 Session

Original     
  Updated     
  Corrected     
  Supplemental

LRB Number <b>17-2248/1</b>	Introduction Number <b>AB-0216</b>
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**Description**  
 permitting certain individuals to make requests for medication for the purpose of ending their lives and providing a criminal penalty

**Fiscal Effect**

**State:**

- No State Fiscal Effect
- Indeterminate
- Increase Existing Appropriations     
  Increase Existing Revenues     
  Increase Costs - May be possible to absorb within agency's budget
- Decrease Existing Appropriations     
  Decrease Existing Revenues     
  Yes       No
- Create New Appropriations       Decrease Costs

**Local:**

- No Local Government Costs
- Indeterminate
- 1.  Increase Costs      3.  Increase Revenue  
 Permissive  Mandatory       Permissive  Mandatory
- 2.  Decrease Costs      4.  Decrease Revenue  
 Permissive  Mandatory       Permissive  Mandatory
- 5. Types of Local Government Units Affected  
 Towns       Village       Cities  
 Counties       Others  
 School Districts       WTCS Districts

**Fund Sources Affected**

**Affected Ch. 20 Appropriations**

GPR   
  FED   
  PRO   
  PRS   
  SEG   
  SEGS 410

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## Fiscal Estimate Narratives

DOC 4/14/2017

LRB Number	17-2248/1	Introduction Number	AB-0216	Estimate Type	Original
<b>Description</b> permitting certain individuals to make requests for medication for the purpose of ending their lives and providing a criminal penalty					

### Assumptions Used in Arriving at Fiscal Estimate

This bill permits an individual who is of sound mind, is not incapacitated, is at least 18 years of age, is a resident of Wisconsin, and has a terminal disease to request voluntarily medication from his or her attending physician for the purpose of ending the individual's life in a humane and dignified manner. The bill authorizes the individual's attending physician to issue a prescription for the medication if specified requirements are met. Further, the bill creates a statutory request for medication authorization form and requires that the Department of Health Services prepare and provide copies of the form for distribution to certain facilities, associations, and persons.

The bill establishes requirements that must be met before an individual's attending physician may issue a prescription in response to the individual's request for medication.

The bill also provides that making a request for medication does not constitute attempted suicide and that taking medication under a fulfilled request does not constitute suicide. The bill establishes penalties for certain actions with regard to the request for medication, but prohibits a health care facility or health care provider from being charged with a crime, being held civilly liable, or being charged with unprofessional conduct for failing to fulfill a request (except that an attending physician who refuses to fulfill a valid request and fails to make a good faith attempt to transfer the requester to another physician who will fulfill the request may be charged with unprofessional conduct), for fulfilling a valid request, or for acting contrary to or failing to act on a revocation of a request unless the health care facility or health care provider has actual knowledge of the revocation.

The Department is unable to determine the fiscal impact of the bill as it cannot predict the effect on number of people that will be sentenced and the sentencing practices of judges under the new law.

The average FY16 annual cost for an inmate in a DOC institution is approximately \$32,300. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$5,700 based on FY16 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person. The average FY16 annual cost to supervise one offender is approximately \$3,000.

County jail costs are also indeterminate and could change if there are increases or decreases in the amount of people sentenced to jail. The average FY16 annual cost to jail an inmate is \$18,800.

### Long-Range Fiscal Implications