

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0158-01
Bill No.: SB 305
Subject: Licenses - Professional; Health Care Professionals; Boards, Commissions, Committees, Councils
Type: Original
Date: February 26, 2007

Bill Summary: Creates the Medical Imaging and Radiation Therapy Quality Assurance Act.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Medical Imaging and Radiation Therapy Licensure	\$0	\$586,081	(\$236,313)
PR Fees	(\$205,880)	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	(\$205,880)	\$586,081	(\$236,313)

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Medical Imaging and Radiation Therapy Licensure	3	3	3
Total Estimated Net Effect on FTE	3	3	3

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator, Office of the Governor, Office of State Public Defender, and Office of State Treasurer** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Office of Attorney General (AGO)** assume that any costs associated with representing a new board can be absorbed with existing resources. However, if this proposal is combined with other proposals that also create new boards or expand existing boards, the AGO may seek additional appropriations to properly represent the multiple boards.

Officials from the **Office of Administration - Administrative Hearing Commission** anticipate this legislation will not significantly alter its caseload. However, if other similar bills also pass, there are more cases, or more complex cases, there could be a fiscal impact.

Officials from the **Office of Prosecution Services (OPS)** state any increase in the number of cases referred for criminal prosecution will have an additional fiscal impact on County Prosecutors. However, the OPS are not able to establish an estimate of the number of additional criminal cases that would be referred to the County Prosecutors for charges because of this proposed legislation. It is therefore, not possible to determine if this proposal would have a significant direct fiscal impact on county prosecutors or the OPS.

Officials from the **Office of Secretary of State (SOS)** state the fiscal impact for this proposal is less than \$2,500. The SOS does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the SOS can sustain within its core budget. Therefore, the SOS reserves the right to request funding for the costs of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the Governor.

Officials from the **Department of Insurance, Financial and Professional Regulation (DIFP)** state based on a 2005 estimate from a search of Occupational Projections by the Department of Economic Development, Missouri Works, Labor Market Information, it is estimated that 7,237 individuals in the state will be required to be licensed.

The DIFP assumes a fee of \$120 will be paid for all categories of licensure with biennial renewal and a renewal fee of \$120. A 3% growth rate in licensees is estimated each year. It is assumed licensure will begin in FY 09, with renewals beginning in FY 11. Revenue to the Medical Imaging and Radiation Therapy Licensure Fund is projected to be \$868,440 (7,237 licensees X \$120 fee) in FY 09 and \$26,040 (217 licensees X \$120 fee) in FY 10.

ASSUMPTION (continued)

It is further assumed all fees collected and all expenses would be deposited into and paid out of the Medical Imaging and Radiation Therapy Licensure Fund. Expenses occurring prior to an appropriation (FY 09) would be borrowed from another fund within Professional Registration and paid back in FY 11.

Implementation of the proposal will require hiring an additional 3.0 FTE in FY 08, as follows: One (1) Principal Assistant (1.0 FTE at \$59,532) to serve as the senior executive officer of the agency, one (1) Administrative Office Support Assistant (1.0 FTE at \$25,248) to provide administrative support to the director and assist with board meetings, complaints and discipline, and one (1) Licensure Technician II (1.0 FTE at \$23,916) to provide technical support, process applications and respond to inquiries.

It is assumed the twelve (12) member board would meet four (4) times per year for two (2) days per meeting, in Jefferson City. The DIFP assumes there would be four (4) meetings in FY 07 to promulgate rules and regulations. It is estimated that each board member will receive reimbursement for expenses for each day conducting board business.

The DIFP estimates an annual cost of \$20,276 will be associated with the need for services from the Attorney General's Office (AGO) to assist with board meetings, opinions, promulgation of rules and regulations, interpretation of legislation, litigation, etc. and an additional \$3,420 will be associated with the need for services from the Administrative Hearing Commission.

Expense and equipment costs are based upon boards of similar size.

Officials from the **Department of Corrections (DOC)** state the DOC cannot predict the number of new commitments which may result from the creation of the offenses(s) outlined in this proposal. An increase in commitment depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost supervision provided by the Board of Probation and Parole (FY 06 average of \$2.52 per offender, per day or an annual cost of \$920 per offender per year).

Supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

This proposal will increase total state revenue.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
MEDICAL IMAGING AND RADIATION THERAPY LICENSURE FUND			
<u>Transfer-In - DIFP</u>			
Transfer from PR Fees Fund	\$205,880	\$0	\$0
<u>Income - DIFP</u>			
Licensure fees/renewals	\$0	\$868,440	\$26,040
<u>Costs - DIFP</u>			
Personal service costs (3.0 FTE)	(\$92,845)	(\$114,199)	(\$117,054)
Fringe benefits	(\$42,022)	(\$51,686)	(\$52,979)
Equipment and expense	(\$50,737)	(\$92,778)	(\$68,624)
AGO and AHC	<u>(\$20,276)</u>	<u>(\$23,696)</u>	<u>(\$23,696)</u>
Total <u>Cost - DIFP</u>	<u>(\$205,880)</u>	<u>(\$282,359)</u>	<u>(\$262,353)</u>
FTE Change - DIFP	3.0 FTE	3.0 FTE	3.0 FTE
ESTIMATED NET EFFECT ON MEDICAL IMAGING AND RADIATION THERAPY LICENSURE FUND			
	<u>\$0</u>	<u>\$586,081</u>	<u>(\$236,313)</u>
Estimate Net FTE Change for Medical Imaging and Radiation Therapy Licensure Fund			
	3.0 FTE	3.0 FTE	3.0 FTE
PR FEES FUND			
<u>Transfer-Out - DIFP</u>			
Transfer to Medical Imaging and Radiation Therapy Licensure Fund	<u>(\$205,880)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON PR FEES FUND			
	<u>(\$205,880)</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
LOCAL GOVERNMENTS - COUNTY PROSECUTORS			
<u>Costs - County Prosecutors</u>			
Increase in criminal prosecutions	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>
 ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS - COUNTY PROSECUTORS			
	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>

FISCAL IMPACT - Small Business

This proposal may fiscally impact small businesses that employ radiation and medical imaging therapists if they pay licensing fees.

FISCAL DESCRIPTION

This proposal creates the "Medical Imaging and Radiation Therapy Quality Assurance Act". Any person administering medical imaging and radiation therapy procedures is required to be licensed by the newly created Medical Imaging and Radiation Therapy Board of Examiners. Such Board shall be located with the division of professional registration. The proposal exempts certain health care professionals, such as physicians, dentists, chiropractors, podiatrists, registered nurses and certain qualified persons currently practicing medical imaging and radiation therapy from the licensure requirements.

Medical facilities, dental facilities, educational institutions and other public and private institutions wishing to offer programs in medical imaging and radiation therapy must meet certain requirements of the Board. The Board is granted additional powers to adopt rules, give examinations, issue temporary licenses, require continuing education as part of the renewal of a license renewal, and to discipline licensees. The proposal both requires the board in some instances and gives the board discretion in other instances to waive the examination, depending on the certification an applicant may possess.

The Board shall investigate complaints, file charges, hold hearings, render judgements and hear appeals when warranted to seek discipline of a licensee. Further, the Board is granted subpoena power for the appearance of witnesses.

FISCAL DESCRIPTION (continued)

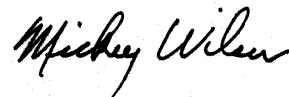
The proposal creates the "Medical Imaging and Radiation Therapy Board of Examiners Fund" which shall receive all fees collected by the board. The proposal provides that none of the licensing requirements will take effect until such time as the board receives a specific appropriation and initial rules have been promulgated.

Any violation of this act shall be a Class A misdemeanor.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General
Office of Administration -
 Administrative Hearing Commission
Office of State Courts Administrator
Department of Insurance, Financial and Professional Regulation
Department of Corrections
Office of the Governor
Office of Prosecution Services
Office of Secretary of State
Office of State Public Defender
Office of State Treasurer



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Director
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