

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0922H.07S
Bill No.: CCS for SS No. 2 for SCS for HB 273
Subject: Professional Registration and Licensing; Military Affairs; Architects; Engineers; Psychologists; Pharmacy; Athletics; Insurance - General
Type: Original
Date: May 6, 2021

Bill Summary: This proposal modifies provisions relating to professional registration.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

FISCAL ANALYSIS

ASSUMPTION

Section 324.009 - Licensing Reciprocity

In response to a similar proposal from this year (HB 584), officials from the **Department of Health and Senior Services** stated this legislation revises the professional licensing reciprocity criteria necessary to legally practice an occupation or profession in the state of Missouri.

Applicants for licensure under the proposed legislation would fall under the same reciprocity process, fee and review as current applicants.

Changing regulations and applicant licensure reviews are within the normal duties for the Division of Regulation and Licensure. Minimal time and expense will be required to conduct the requirements of the proposed legislation. The department anticipates being able to absorb these costs; however, until the FY22 budget is final, the department cannot identify specific funding sources.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

In response to a similar proposal from this year (HB 584), officials from the **Office of Administration - Administrative Hearing Commission** anticipated that this legislation will not significantly alter its caseload. If similar bills pass, resulting in more cases, there will be a fiscal impact. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

In response to a similar proposal from this year (HB 584), officials from the **Department of Commerce and Insurance**, the **Department of Natural Resources**, the **Missouri Department of Agriculture**, the **Department of Public Safety - Missouri Highway Patrol** and the **Department of Revenue** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Section 324.012 – Background Check Procedures

In response to a similar proposal from this year (SB 308), officials from the **Department of Commerce and Insurance**, the **Office of Administration - Administrative Hearing Commission**, the **Department of Health and Senior Services**, the **Department of Natural Resources**, the **Department of Public Safety - Missouri Highway Patrol**, the **Department of Social Services**, the **Missouri Department of Agriculture** and the **Missouri Department of Transportation** each assumed the proposal will have no fiscal impact on their respective organizations.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Section 324.087 - Occupational Therapy Licensure Compact

Officials from the **Department of Commerce and Insurance (DCI)** state that the compact will be effective when it is enacted into law in the tenth member state. It is uncertain if the compact would be enacted in FY22, FY23 or FY24. Once the compact is enacted DCI would have the following fiscal impact: \$3,000 to \$6,000 estimated annual fee to participate in the compact.

Oversight assumes DCI is provided with core funding to handle a certain amount of activity each year. Oversight assumes DCI could absorb the costs related to this proposal and assumes the annual fee revenue is not material. If multiple bills pass which require additional staffing and duties at substantial costs, DCI could request funding through the appropriation process.

Officials from the **Office of Administration - Administrative Hearing Commission** anticipate that this legislation will not significantly alter its caseload. If similar bills pass, resulting in more cases, there will be a fiscal impact. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

In response to a similar proposal from this year (SB 330), officials from the **Attorney General's Office**, the **Department of Public Safety - Missouri National Guard**, the **Missouri House of Representatives** and the **Missouri Senate** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Sections 324.200 & 324-206 – Professional Registration of Dietitians

In response to a similar proposal from this year (Perfected HCS for HB 475), officials from the **Department of Commerce and Insurance** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

In response to a similar proposal from this year (Perfected HCS for HB 475), officials from the **Office of Administration - Administrative Hearing Commission** anticipated that this legislation will not significantly alter its caseload. If similar bills pass, resulting in more cases, there will be a fiscal impact. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

Sections 327.011 – 327-612 – Licensure of Architects, Engineers and Landscape Architects

In response to a similar proposal from this year (HCS for HB 481), officials from the **Department of Commerce and Insurance** assume the proposal will have no fiscal impact on

their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for that agency.

Section 329-034 – Barber or Cosmetology License

In response to a previous version, officials from the **Department of Commerce and Insurance** assumed the proposal will have no fiscal impact on their organization.

Oversight notes that the Department of Commerce and Insurance has stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

Section 337.068 – Complaints against Psychologist's Licenses

In response to a similar proposal from this year (HB 319), officials from the **Department of Commerce and Insurance**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Corrections** and the **Department of Social Services** each assumed the proposal will have no fiscal impact on their respective organizations.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Section 338.010 -338.730 – Preexposure and Postexposure Prophylaxis

In response to a similar proposal from this year (SB 79), officials from the **Department of Commerce and Insurance**, the **Missouri Consolidated Health Care Plan**, the **Department of Transportation**, the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri Department of Conservation**, the **Office of Administration**, the **Department of Social Services** and the **Department of Health and Senior Services** each assumed the proposal will have no fiscal impact on their respective organizations.

Section 339.100 – Real Estate Licensees Advertisements

In response to a similar proposal from this year (HB 1124), officials from the **Office of Administration - Administrative Hearing Commission** anticipated that this legislation will not significantly alter its caseload. If similar bills pass, resulting in more cases, there will be a fiscal impact. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

In response to a similar proposal from this year (HB 1124), officials from the **Department of Commerce and Insurance** and the **Office of the State Courts Administrator** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Section 339.150 - Payment Provisions for Licensed Real Estate Salespersons or Brokers

In response to a similar proposal from this year (SB 435), officials from the **Department of Commerce and Insurance** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

Section 375.029 – Continuing Education Credits for Insurance Producers

In response to a similar proposal from this year (HB 1114), officials from the Department of Commerce and Insurance assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

Sections 436.218 – 436.266 – Athlete Agents

In response to a similar proposal from this year (HB 971), officials from the **Department of Commerce and Insurance (DCI)**, the **Department of Corrections**, the **Office of the State Courts Administrator**, the **Office of the State Public Defender**, the **Office of Prosecution Services**, the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri State University**, the **State Technical College of Missouri** and the **University of Central Missouri** each assumed the proposal will have no fiscal impact on their respective organizations.

Oversight notes that several agencies have stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

In response to a similar proposal from this year (HB 971), officials from the **Office of Administration - Administrative Hearing Commission** anticipated that this legislation will not significantly alter its caseload. If similar bills pass, resulting in more cases, there will be a fiscal impact. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other colleges and universities were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

Oversight notes that DCI reports that there are currently 71 licensed athlete agents in Missouri.

Oversight notes Section 436.263 allows for a civil penalty not to exceed \$100,000 for violations of Sections 436.215 – 436.272 (Athlete Agents). Oversight will reflect this potential as a \$0 or unknown amount of civil penalty revenue to local school districts.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assumed this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State** noted many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$5,000. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, they also recognize 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 their office can sustain within their core budget. Therefore, they reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	\$0	\$0	\$0

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<u>SCHOOL DISTRICTS</u>			
<u>Civil Penalty</u> <u>Revenue - §436.263 -</u> <u>\$100,000 civil</u> <u>penalty p. 6</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>
<u>ESTIMATED NET EFFECT TO SCHOOL DISTRICTS</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>

FISCAL IMPACT – Small Business

Small business occupational therapist and occupational therapy assistants would now be eligible to practice in other member states and could be fiscally impacted as a result of this proposal.

Small architecture, engineering and landscape architect businesses could be fiscally affected as a result of this proposal.

Authorized discipline against real estate licensees could cause a direct fiscal impact to any licensed or previously licensed real estate broker, salesperson, broker-salesperson, appraiser, or appraisal manager as a result of this proposal.

Small business athlete agents could be impacted by this proposal by modifying the Uniform Athlete Agents Act.

A small business entity that receives compensation from a real estate broker as provided for in this legislation may be fiscally impacted.

Small business pharmacists could be impacted by this proposal.

FISCAL DESCRIPTION

This proposal modifies provisions relating to licensed professionals.

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

Department of Commerce and Insurance

Office of Administration - Administrative Hearing Commission

Department of Health and Senior Services

Department of Revenue

Department of Public Safety - Missouri Highway Patrol

Department of Social Services

Department of Public Safety - Missouri National Guard

Attorney General's Office

Office of the Secretary of State

Missouri House of Representatives

Joint Committee on Administrative Rules

Department of Mental Health

Department of Corrections

Office of the State Courts Administrator

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Office of the State Public Defender
Missouri Office of Prosecution Services
Missouri State University
State Technical College of Missouri
University of Central Missouri



Julie Morff

Director

May 6, 2021



Ross Strope

Assistant Director

May 6, 2021