

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 29, 2003

TO: Honorable Jaime Capelo, Chair, House Committee on Public Health

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB2997 by Capelo (Relating to the regulation of contact lens dispensing.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2997, As Introduced: an impact of \$0 through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	\$0
2005	\$0
2006	\$0
2007	\$0
2008	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND</i> 1	Probable Revenue Gain from <i>GENERAL REVENUE FUND</i> 1	Change in Number of State Employees from FY 2003
2004	(\$61,995)	\$61,995	1.0
2005	(\$43,841)	\$43,841	1.0
2006	(\$43,841)	\$43,841	1.0
2007	(\$43,841)	\$43,841	1.0
2008	(\$43,841)	\$43,841	1.0

Fiscal Analysis

The bill would amend Chapter 353 of the Occupations Code to require a physician or optometrist to release or confirm a patient's contact lens prescription to an authorized contact lens dispenser within eight business hours of the request. The bill would also require the Optometry Board to adopt rules governing the prompt release or confirmation of prescription information.

Methodology

It is assumed the agency will experience a substantial increase in the number of complaints received by phone and mail regarding prescriptions. Based on the number of complaints received in fiscal year 2003, the agency estimates that an additional 100 complaint cases will be opened and investigated

each year. It is assumed that the agency will require an additional Investigator at a cost of \$42,716 per year (salary + benefits) and annual travel costs of \$500 to accommodate the increased workload. The cost for furniture for the additional employee is estimated to be \$1,000 in fiscal year 2004. Annual costs for consumable supplies and training are estimated at \$625 per year.

It is assumed an additional board meeting in fiscal year 2004 would be required to consider rule changes to implement the provisions of the bill at a cost of \$3,240.

It is estimated the agency would require \$10,164 in fiscal year 2004 for printing and postage of two newsletters to inform licensees of the rule changes. It is assumed the agency would incur a cost of \$2,500 in fiscal year 2004 to update and reprint the Optometry Act and Contact Lens Prescription Act book.

It is assumed the agency would adjust fees to offset any costs associated with the implementation of the bill.

Technology

The cost of a desktop computer and related equipment for the additional employee is estimated to be \$1,250 in fiscal year 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 514 Optometry Board

LBB Staff: JK, EB, RT, TG