

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: HB3451 by Noriega (Relating to the prescriptive authority of certain psychologists.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3451, 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 (Cost) from GENERAL REVENUE FUND 1	Probable Revenue Gain from GENERAL REVENUE FUND 1	Change in Number of State Employees from FY 2003
2004	(\$26,240)	\$26,240	0.5
2005	(\$3,480)	\$3,480	0.0
2006	(\$3,480)	\$3,480	0.0
2007	(\$3,480)	\$3,480	0.0
2008	(\$3,720)	\$3,720	0.0

Fiscal Analysis

The bill would amend Chapter 501 of the Occupations Code to require that only a psychologist with a prescriptive authority certificate from the State Board of Examiners of Psychologists has the authority to issue a prescription drug order, to administer or dispense a prescription drug, to order tests to monitor the use of such drugs, or to represent that the person holds this certificate.

The bill would require the State Board of Examiners of Psychologists to adopt rules to require a psychologist holding a prescriptive authority certificate to consult with the patient's treating physician within a reasonable time after the prescription drug order or the administration of such a drug to the patient.

Methodology

The State Board of Examiners of Psychologists assumed it would require a ½ time staff person for six months to process initial applications for certification at a cost of \$18,460 (including benefits) for fiscal year 2004.

The agency estimated printing and postage costs for certificate applications and supporting forms and public awareness information would total \$1,300 for fiscal year 2004.

The agency assumed it would have to pay additional professional reviewer costs for the complaints received pertaining to this certification at an estimated cost of \$480 for each of the first three fiscal years starting in fiscal year 2004 and \$720 each year thereafter. It is estimated that by fiscal year 2005 the agency would have to hold an additional IFC panel resulting in Board member travel costs of \$3,000 per year.

The agency assumed it would take an average of three additional complaints to informal settlement conference each year and one complaint to the State Office of Administrative Hearings by fiscal year 2005. Costs incurred in holding one public hearing would include \$1,000 in court reporter fees for fiscal year 2004.

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

Technology

The State Board of Examiners of Psychologists estimated the cost of programming the agency’s licensing database to accept the new certification to be \$5,000 in fiscal year 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 520 Board of Examiners of Psychologists
LBB Staff: JK, EB, RT, TG