

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 6, 2005

TO: Honorable Dianne White Delisi, Chair, House Committee on Public Health

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2706 by Delisi (Relating to the establishment of the Health Professions Scope of Practice Review Commission.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2706, As Introduced: a negative impact of (\$612,177) through the biennium ending August 31, 2007.

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
2006	(\$347,215)
2007	(\$264,962)
2008	(\$368,792)
2009	(\$375,777)
2010	(\$376,921)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND</i> 1	Change in Number of State Employees from FY 2005
2006	(\$347,215)	3.0
2007	(\$264,962)	3.0
2008	(\$368,792)	3.0
2009	(\$375,777)	3.0
2010	(\$376,921)	3.0

Fiscal Analysis

The bill would establish the Health Professions Scope of Practice Review Commission which would be administratively attached to the Department of State Health Services. Membership would consist of the commissioner of the Department of State Health Services; an employee of the Legislative Budget Board who works in the Performance Assessments and Review section; a representative of the Center for Public Policy Dispute Resolution at The University of Texas School of Law; a representative of the Health Law and Policy Institute at the University of Houston; an employee of the Texas Legislative Council who has expertise in scope of practice issues; and two representatives of the public.

The commission would be required to review and make recommendations on proposed changes to the scope of practice of a health profession. In assessing the proposed change, the bill would require the

commission to consider various criteria, including potential harm to public health, safety, or welfare, and economic impacts, among others. The analysis performed by the commission would be required to include a review of other states and countries that have a scope of practice for the relevant profession.

The commission shall report, not later than December 31 of each even-numbered year, the results of the commission's reviews to the Governor and other persons and committees as required in the bill. The report must include evidence-based legislative recommendations for each proposed change in the scope of practice of a health profession submitted to the commission. A bill that proposes to expand, contract, or change the scope of practice of a health profession that was not submitted to the commission must include a statement to that effect.

As the commission determines appropriate, the commission shall conduct other reviews and perform research on issues related to the scope of practice of a health profession, including retrospective reviews of changes in the scope of practice.

The commission shall notify annually each licensing entity and each professional association and group of health professions of the commission and entity's duties under this chapter.

The commission on request shall provide assistance to the legislature with regard to a proposed change in the scope of practice of a health profession.

The commission shall provide staff services to any review panel established under this chapter.

Methodology

The Department of State Health Services projects that the bill would require one Full-Time Equivalent to facilitate evaluations of requests for changes in scope of practice. It is assumed that the analysis or evaluations would be performed by contracts with a university/research-related institution in the amount of \$160,000 per year. The contract could include: evaluation of the data presented to the commission; researching the relevant scope of practice laws in other states; presenting the information in a pre-determined format; and publishing the information along with the evidence-based recommendation to the commission. DSHS projects that an additional Full-Time Equivalent would be required for administrative support, including posting and recording meetings and other tasks.

The University of Texas System projects that a new Full-Time Equivalent would be required to represent the University of Texas School of Law on the Commission. The annual cost projected for the employee and related costs would be \$94,318 in 2006, \$95,501 in 2007, \$99,331 in 2008, \$106,316 in 2009, and \$104,460 in 2010, all amounts out of the General Revenue Fund.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 Department of State Health Services, 720 The University of Texas System Administration, 783 University of Houston System Administration

LBB Staff: JOB, CL, KF, LW