

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 23, 2005

TO: Honorable Rodney Ellis, Chair, Senate Committee on Government Organization

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

IN RE: SB413 by Shapleigh (Relating to the continuation and functions of the Texas State Board of Examiners of Dietitians.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill (Sunset legislation) relates to the continuation and functions of the Texas State Board of Examiners of Dietitians and would continue the board until September 1, 2017. The board is administratively attached to the Department of State Health Services (DSHS). The bill would amend various provisions in Chapter 701 of the Occupations Code. The bill would repeal Section 701.056 (a) related to the authorization of board member per diem and Section 701.059 (d) related to the authorization of board training requirements.

Section 701.059 (c) would allow for the reimbursement of travel expenses for persons appointed to the dietitians board prior to taking office that may be incurred while attending the training program prescribed in the bill.

Section 701.160 would require the dietitians board to implement policy that ensures that the public is able to interact with the board on the Internet.

Section 701.2527 would require the dietitians board to develop and administer at least twice each calendar year a jurisprudence examination that an applicant must pass to qualify for a license. (The jurisprudence examination requirement is in addition to the license examination requirement.)

Section 701.301 (d) would require that the renewal fee for an expired license would be 1-1/4 times the amount of the renewal fee for the license, for a license expired 90 days or less. For a license expired over 90 days, the bill would require that the renewal fee would be equal to 1-1/2 times the amount of the renewal fee.

Section 701.453 would authorize the Office of the Attorney General (OAG), at the request of the dietitians board, to seek injunctions prohibiting an unlicensed dietitian from providing services.

DSHS indicates that implementing the bill's provisions would result in a minimal decrease in license renewal fee revenue generated. DSHS assumes that any cost incurred in developing the examination questions for the jurisprudence examination would be absorbed within the agency's existing resources. The Office of the Attorney General assumes that any additional work that may result from implementing the bill's provisions would be absorbed with current staff.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 537 Department of State Health Services

LBB Staff: JOB, CL, PP, RM