

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 7, 2007**

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

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

**IN RE: HB3313** by Brown, Fred (Relating to the licensure of anesthesiologist assistants; providing penalties.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3313, As Introduced: an impact of \$0 through the biennium ending August 31, 2009.

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
2008	\$0
2009	\$0
2010	\$0
2011	\$0
2012	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable Revenue Gain from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Change in Number of State Employees from FY 2007
2008	(\$81,487)	\$81,487	1.0
2009	(\$53,612)	\$53,612	1.0
2010	(\$53,612)	\$53,612	1.0
2011	(\$53,612)	\$53,612	1.0
2012	(\$53,612)	\$53,612	1.0

**Fiscal Analysis**

The bill would amend the Occupations Code relating to the licensure of anesthesiologist assistants; providing penalties. The bill would create the Texas Anesthesiologist Assistant Board (board) as an advisory board to the Texas Medical Board (TMB) and specify the board's composition, member eligibility standards and terms, and meeting requirements. Board members would not receive compensation, but they would be eligible to receive reimbursement under the General Appropriations Act for transportation and related expenses while conducting board business. TMB would provide administrative and clerical employees to assist the board. The board would adopt rules reasonable and necessary for the performance of its duties, including licensing and other fees. TMB would set and collect fees in amounts reasonable and necessary to administer and enforce the new chapter without

the use of any other funds generated by TMB. TMB would adopt rules with the advice of the board no later than June 1, 2008. The bill would require anesthesiologist assistants to hold a license on or after September 1, 2008, in order to practice in Texas. The bill would establish the eligibility, examination, and continuing education requirements. The bill would define the scope of practice and supervision requirements for anesthesiologist assistants. The bill would allow the board to take disciplinary action against an applicant or licensee, including assessing an administrative penalty, not to exceed \$2,000 each day a violation continued. The bill would create a criminal penalty of a third degree felony for a person who did not hold a license, but represented, implied, or acted as an anesthesiologist assistant on or after September 1, 2008.

This bill would take effect September 1, 2007.

## **Methodology**

Based on information provided by the TMB, it is assumed that 20 new applications would be received in fiscal year 2008 and that an additional growth of 5 per year would be realized for fiscal years 2009-2012. Also based on the TMB analysis, it is assumed that fees would be set at \$1,842 for the initial application fee and the renewal fee each fiscal year.

According to TMB, meeting costs are estimated to be \$17,760 each fiscal year. The agency estimates meeting costs of \$740 per member, per board meeting, based on average costs for Physician Assistant and Acupuncture board member meetings (\$740 per member x 6 board members = \$4,440 x 4 meetings a year = \$17,760).

Based on information provided by the TMB, it is also assumed that one Administrative Assistant III for Licensure/Customer Information Center will be needed to answer questions, work on application and registration forms, procedures, process applications and renewals, prepare for board meeting and assist with rule development and stakeholder meetings. Total salary, other personnel costs and new employee start-up costs are estimated to be \$40,852 in fiscal year 2008 and \$35,852 each year in fiscal years 2009-2012.

In addition, the agency estimates a one-time cost of \$22,875 in fiscal year 2008 for costs related to programming, analysis, design, development and testing to licensure and enforcement information technology applications and databases.

Based on the analysis of the agency, it is assumed that the Board would adjust license fees to cover any additional costs associated with the implementation of the bill.

## **Technology**

TMB estimates a one-time cost of \$22,875 in fiscal year 2008 for information technology costs related to the agency's licensure and enforcement applications and databases.

## **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 503 Texas Medical Board

**LBB Staff:** JOB, CL, MW, NV