

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

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

**April 19, 2007**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

**IN RE: SB155** by Zaffirini (Relating to the regulation of chemical dependency counselors.) ,**Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB155, Committee Report 1st House, Substituted: a positive impact of \$84,489 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	\$45,539
2009	\$38,950
2010	\$28,761
2011	\$28,535
2012	\$28,303

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

Fiscal Year	Probable Revenue Gain/ (Loss) from <i>GENERAL REVENUE FUND 1</i>	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND 1</i>	Change in Number of State Employees from FY 2007
2008	\$119,250	(\$73,711)	1.0
2009	\$119,250	(\$80,300)	2.0
2010	\$119,250	(\$90,489)	2.0
2011	\$119,250	(\$90,715)	2.0
2012	\$119,250	(\$90,947)	2.0

**Fiscal Analysis**

The bill would amend the Occupations Code as it relates to the regulation of chemical dependency counselors.

The bill would update Chapters 504, 467, and 411, Occupations Code to delete references to the Texas Commission on Alcohol and Drug Abuse (TCADA) and reflect the correct name of the administering agency the Department of State Health Services (DSHS).

The bill would also require DSHS to approve one or more peer assistance programs established under the provisions of the bill, from which persons licensed under Chapter 504, Occupations Code may

seek assistance, not later than September 1, 2008. DSHS would be required to maintain a listing of approved peer assistance programs on the department's Internet website.

DSHS would have to include the designation and expiration date of any other related certifications held by license holders on the license chemical dependency counselor (LCDC) licenses.

The bill also adds exemptions for certain persons not currently eligible for a LCDC license or renewal and certification. The bill also adds an exemption to a license renewal refusal if DSHS determines that a peer assistance program is not reasonably available to the license holder.

Not later than May 1, 2008, the executive commissioner of the Health and Human Services Commission would be required to adopt rules necessary to implement the provisions of the bill.

Changes in law made by this Act to Section 504.1521 and 504.1525, Occupations Code would apply only to an initial license application filed on or after September 1, 2008.

Changes in law made by this Act to Section 504.2025, Occupations Code would apply only to a renewal application filed on or after September 1, 2007.

The bill would take effect September 1, 2008, with the exception of Section 504.1521 and 504.2025, Occupations Code, which would take effect September 1, 2008.

### **Methodology**

Under the provisions of the bill, DSHS estimates that an additional 2 FTES would be needed. The costs associated with these additional FTES would be \$38,711 in FY08, \$80,300 in FY09, and \$90,489 in FY10, \$90,715 in FY11, and \$90,947 in FY12. These costs include salaries, benefits, rent, and other associated costs.

DSHS also estimates that \$35,000 would be needed in FY08 for database modifications.

DSHS also estimates that for costs associated with credential designations and peer assistance, biennial renewal fees for LCDCs, will be increased by \$40 and provide for an annual revenue increase of \$90,000. Additionally, for costs associated with the certification of clinical supervisors, DSHS estimates that new fees of \$130 would be implemented for application and renewal of certifications, resulting in \$29,250 in additional revenues. The total estimated revenue gain would be \$119,250 per fiscal year.

The Department of Public Safety estimates that the provisions of the bill could be handled with existing resources.

### **Technology**

DSHS estimates that the technology impact would be \$35,000 in FY08 for database modifications.

### **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 537 State Health Services, Department of

**LBB Staff:** JOB, CL, PP, SJ