

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB461 by Eissler (Relating to the regulation of dyslexia practitioners and therapists; providing penalties.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB461, As Passed 2nd House: a positive impact of \$237,645 through the biennium ending August 31, 2011.

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
2010	\$185,217
2011	\$52,428
2012	\$52,458
2013	\$52,538
2014	\$52,713

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2009
2010	(\$152,283)	\$337,500	2.0
2011	(\$172,572)	\$225,000	2.5
2012	(\$172,542)	\$225,000	2.5
2013	(\$172,462)	\$225,000	2.5
2014	(\$172,287)	\$225,000	2.5

Fiscal Analysis

The bill would amend the Occupations Code to provide the Department of State Health Services (DSHS) the authority to license and regulate dyslexia practitioners and dyslexia therapists. With respect to the professions of dyslexia practitioners and dyslexia therapists, the bill would authorize DSHS to form an advisory committee, adopt rules, require examinations, issue licenses, and monitor license holders. The bill would provide for civil penalties. The bill also authorizes the collection of both application and examination fees. The bill would create an interim committee to study and recommend legislation to increase awareness of early detection and treatment of dyslexia and related disorders.

The provisions of the bill related to use of titles without a license, license denial, and other penalties

and enforcement procedures would take effect September 1, 2010; the remaining provisions would take effect September 1, 2009.

Methodology

DSHS assumes that 3,000 licenses would be issued during FY 2010 in order to meet the effective date of the title-protection provision of the bill. The agency estimates a need for two additional full-time equivalents (FTE) in fiscal year 2010 and 2.5 FTEs in fiscal year 2011 and each fiscal year thereafter. The total cost of the bill is estimated to be \$152,283 in fiscal year 2010; \$172,572 in fiscal year 2011; \$172,542 in fiscal year 2012, \$172,462 in fiscal year 2013; and \$172,287. These figures include about \$17,000 per year for Enterprise Support Services billed by the Health and Human Services Commission.

The bill would result in an increase in revenue of \$337,500 in General Revenue Funds in fiscal year 2010 and \$225,000 per fiscal year in 2011-2014 from licensing application fees. The agency estimates that there would be 1,500 one-year license applications in fiscal year 2010 and 1,500 two-year license applications per fiscal year for 2010-2014. License costs are estimated by DSHS at \$75 per one-year license and \$150 per two-year license. It is possible that DSHS would also collect revenue from the administration of licensing exams, but an estimate was not provided.

Technology

It is assumed that there would be a technology impact to the bill of \$25,000 in fiscal year 2010 to reconfigure the LicenseEase software; contract staff would be utilized.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 360 State Office of Administrative Hearings, 537 State Health Services, Department of
LBB Staff: JOB, SZ, CL, VJC, MB