

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 2, 2009

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

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 Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB461, As Introduced: a positive impact of \$64,480 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	(\$72,767)
2011	\$137,247
2012	\$35,939
2013	\$35,939
2014	\$35,939

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1	Probable Revenue Gain from General Revenue Fund 1	Change in Number of State Employees from FY 2009
2010	(\$72,767)	\$0	1.0
2011	(\$177,753)	\$315,000	2.5
2012	(\$174,061)	\$210,000	2.5
2013	(\$174,061)	\$210,000	2.5
2014	(\$174,061)	\$210,000	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 provisional and temporary licenses, and monitor license holders. The bill would provide for administrative penalties. The bill also authorizes the collection of both application and examination fees.

The provisions of the bill related to use of titles without a license, license denial, administrative penalties, and other penalties and enforcement procedures would take effect September 1, 2010; the remaining provisions would take effect September 1, 2009.

Methodology

To implement the provisions of the bill, DSHS estimates a need for one additional full-time equivalent (FTE) in fiscal year 2010 and 2.5 FTEs in fiscal year 2011 and each fiscal year thereafter. The agency estimates a cost of \$3,000 in fiscal year 2010 and \$1,500 per year after for criminal history background checks and \$3,500 per year starting in fiscal year 2011 for administrative hearings. The total cost of the bill is estimated to be \$72,767 in fiscal year 2010; \$177,753 in fiscal year 2011; and \$174,061 in fiscal years 2012, 2013 and 2014. These figures include about \$20,000 per year for Enterprise Support Services billed by the Health and Human Services Commission.

DSHS estimates the bill would result in an increase in revenue of \$315,000 in fiscal year 2011 and \$210,000 per fiscal year in 2012-2014 from licensing application fees. The agency estimates that there would be 1,500 one-year license applications (costing \$70 each) in fiscal year 2011 and 1,500 two-year license applications (costing \$140 each) per fiscal year for 2011-2014. 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 2011 through 2014 to track licenses, requirements, exams, cash processing, and reports; 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, CL, VJC, MB