

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 27, 2009

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

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

IN RE: HB3376 by Davis, John (Relating to the licensure of anesthesiologist assistants; providing penalties.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3376, As Introduced: an impact of \$0 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	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

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	(\$48,533)	\$48,533	0.5
2011	(\$31,634)	\$31,634	0.5
2012	(\$31,634)	\$31,634	0.5
2013	(\$31,634)	\$31,634	0.5
2014	(\$31,634)	\$31,634	0.5

Fiscal Analysis

The bill would amend the Occupations Code relating to the licensure of anesthesiologist assistants. The bill would create the Texas Anesthesiologist Assistant Board (board) to advise the Texas Medical Board (TMB), and would 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 bill would require anesthesiologist assistants to hold a license issued by the board, and would establish the eligibility, examination, and continuing education requirements. The Texas Medical

Board (TMB) estimates there would be approximately 54 licenses issued in FY 2010 and 45 issued in FY 2011 for new licenses and renewals.

The bill would define the scope of practice and supervision requirements for anesthesiologist assistants. The board would adopt rules for the performance of its duties, including licensing and the assessment of fees. TMB would adopt rules with the advice of the board, and set fees to administer and enforce the new chapter.

The bill would provide for an administrative penalty, not to exceed \$2,000 each day a violation continued, and a criminal penalty that would be a third degree felony.

This bill would take effect September 1, 2009, except for provisions relating to anesthesiologist assistant license requirements and criminal penalties which take effect September 1, 2010.

Methodology

For the purpose of this analysis TMB assumes they will need an additional 0.5 FTE (Program Specialist I at a salary of \$18,382) to assist with processing the licenses and board meetings. Additional operating costs total \$30,151 in FY 2010 and \$13,252 in FY 2011-14 for employee benefits, equipment and board meetings.

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 this bill.

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