

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: HB3528 by Davis, Yvonne (Relating to the licensing and regulation of the practice of dietetics and nutrition care services.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3528, As Introduced: a positive impact of \$31,968 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	\$31,968
2011	\$0
2012	\$26,640
2013	\$0
2014	\$26,640

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from General Revenue Fund 1
2010	\$31,968
2011	\$0
2012	\$26,640
2013	\$0
2014	\$26,640

Fiscal Analysis

The bill would amend Chapter 701, Occupations Code, as it relates to the licensing and regulation of the practice of dietetics and nutrition care services. The bill would require that a person must hold a license issued under the chapter in order to engage in the practice of dietetics and nutrition care services. The bill would provide exemptions to Chapter 701. The bill would take effect September 1, 2009.

Methodology

Calculations by the Department of State Health Services (DSHS) assume that the number of licensed dietitians will increase by 296. The initial license fee is \$108 for a two-year license; the two-year renewal fee is \$90.

According to DSHS, the total cost of the bill would be \$1,368,824 in All Funds in fiscal year 2010 and \$24,060,905 in All Funds in each fiscal year thereafter to replace existing staff (mostly contract staff providing WIC services) with licensed staff, as required by the bill. DSHS assumes that federal WIC funds would be redirected from client services to pay for higher staff salaries. It is estimated this would result in approximately 720,000 fewer clients receiving nutrition and education counseling and approximately 139,000 fewer clients receiving nutritious food supplements. If the federal government determined that federal funds funds could not be redirected, General Revenue would be required to implement the bill.

Local Government Impact

Local government entities that provide WIC services will be impacted under the provisions of the bill because staff currently providing services would need to be replaced with licensed staff at an increased cost.

Source Agencies: 537 State Health Services, Department of

LBB Staff: JOB, CL, PP, VJC