

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 29, 2009**

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

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

**IN RE: SB1853** by Van de Putte (Relating to disciplinary actions regarding a pharmacy technician or pharmacy technician trainee.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1853, Committee Report 1st House, Substituted: 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)<br>Impact to General Revenue Related<br>Funds |
|-------------|--|
| 2010        | \$0  |
| 2011        | \$0  |
| 2012        | \$0  |
| 2013        | \$0  |
| 2014        | \$0  |

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

| Fiscal Year | Probable Savings/(Cost)<br>from<br><i>General Revenue Fund</i><br>1 | Probable Revenue Gain/<br>(Loss) from<br><i>General Revenue Fund</i><br>1 | Change in Number of State<br>Employees from FY 2009 |
|-------------|---|---|---|
| 2010        | (\$72,947)  | \$72,947  | 1.0   |
| 2011        | (\$56,118)  | \$56,118  | 1.0   |
| 2012        | (\$56,118)  | \$56,118  | 1.0   |
| 2013        | (\$56,118)  | \$56,118  | 1.0   |
| 2014        | (\$56,118)  | \$56,118  | 1.0   |

**Fiscal Analysis**

The bill would amend the Occupations Code by adding 7 additional violations for which the Board of Pharmacy could take disciplinary action against a registered pharmacy technician or pharmacy technician trainee. The bill would also authorize the Board of Pharmacy to request, on probable cause, that a pharmacy technician, pharmacy technician applicant, or pharmacy technician trainee submit to a mental or physical examination.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house. If not, the bill would take effect September 1, 2009.

## **Methodology**

The Board of Pharmacy currently registers 52,000 pharmacy technicians and pharmacy technician trainees. The Board anticipates there would be an increase in the number of disciplinary actions required to regulate the new violations established by the bill. Based on the analysis of the Board, it is assumed that the agency would need an additional 1.0 legal assistant III to address the increased number of disciplinary actions. Other operating costs in Fiscal Year (FY) 2010 include \$14,500 for office space remodeling to create room for the new employee, \$1,729 for computer equipment, and \$600 for furniture and equipment. Other operating costs for consumable supplies and other office expenditures are \$2,625 in FY 2010 and each subsequent year.

This analysis assumes that any increased costs to the agency, which is statutorily required to generate sufficient revenue to cover its costs of operation, would be offset by an increase in fee generated revenue.

## **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 515 Board of Pharmacy

**LBB Staff:** JOB, ES, CL, MW