

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 16, 2009

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

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

IN RE: SB1879 by Nelson (Relating to the licensing and regulation of genetic counselors; providing penalties.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1879, 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) 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	(\$40,533)	\$40,533	0.5
2011	(\$23,634)	\$23,634	0.5
2012	(\$23,634)	\$23,634	0.5
2013	(\$23,634)	\$23,634	0.5
2014	(\$23,634)	\$23,634	0.5

Fiscal Analysis

The bill would amend the Occupations Code relating to the licensing and regulation of genetic counselors; providing penalties. The bill would require a person acting as a genetic counselor, as defined by the bill, to hold a license issued by the Texas Medical Board (TMB). The requirements for a genetic counselors license and the fees required for that license would be set by the Texas Medical Board by rule. In addition, the bill would establish certain administrative penalties for persons who violated the regulations of the bill.

The bill would establish a General Revenue Account—Genetic Counseling Licensing, which would be funded from fees, gifts, grants, donations, and penalties established by the bill and interest earned from the account. Money could be appropriated from the new account only for the enforcement of the

regulations established by the bill.

This bill would take effect September 1, 2009.

Methodology

For the purposes of this analysis, TMB estimates it would require an additional 0.5 FTE for a Program Specialist I (\$18,382 per year) to process approximately 100 applications licensing and regulating genetic doctors. In addition, the agency estimates there will be one time cost of \$14,500 in FY 2010 for remodeling fee and a one time cost of \$2,399 for IT set up.

According to the analysis provided by the Comptroller of Public Accounts, this legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

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

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