

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 18, 2011

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

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

IN RE: HB3406 by Naishtat (Relating to the authority of a psychologist to delegate certain acts to a person under the psychologist's supervision.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3406, As Introduced: an impact of \$0 through the biennium ending August 31, 2013.

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 |
|-------------|--|
| 2012 | \$0 |
| 2013 | \$0 |
| 2014 | \$0 |
| 2015 | \$0 |
| 2016 | \$0 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable Savings/(Cost) from General Revenue Fund 1 | Probable Revenue Gain/(Loss) from General Revenue Fund 1 |
|-------------|---|--|
| 2012 | (\$2,900) | \$2,900 |
| 2013 | (\$3,700) | \$3,700 |
| 2014 | (\$4,000) | \$4,000 |
| 2015 | (\$4,000) | \$4,000 |
| 2016 | (\$4,000) | \$4,000 |

Fiscal Analysis

The bill would amend the Occupations Code relating to the authority of a psychologist to delegate certain acts to a person under the psychologist’s supervision. The delegating psychologist would be held responsible for the psychological test or service administered. The bill would require the Board of Examiners of Psychologists to adopt rules regarding acts that may be delegated; the bill provides that these rules should promote the ability of a psychologist to exercise professional judgment regarding the delegation of psychological tests or services.

The bill would take effect September 1, 2011.

Methodology

For the purpose of this analysis, the Board of Examiners of Psychologists assumes additional costs associated with implementing the provisions of the bill. The agency anticipates additional workload due to an increase in the number of complaints against licensees. The agency anticipates receiving an additional 5 complaints in 2012, 10 complaints in 2013, and 15 complaints each year from 2014-16 due to the implementation of the bill.

The agency assumes that half of the complaints received each year would require a professional review at a cost of \$100 apiece. The agency anticipates an increase in costs for per diem and travel for board members to attend additional informal settlement conferences and assumes that at least one case per year will be heard at the State Office of Administrative Hearings, which would require additional funding for travel and associated expenses for the hearing.

Based on the analysis of the agency, it is assumed that the Board of Examiners of Psychologists would adjust license fees to cover any additional costs associated with the implementation of the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 520 Board of Examiners of Psychologists

LBB Staff: JOB, CL, MW, EH