

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**February 10, 2011**

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

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

**IN RE: SB188** by Nelson (Relating to the licensing and regulation of genetic counselors; providing penalties.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB188, 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 (Cost) from <i>New General Revenue Dedicated</i>	Probable Revenue Gain from <i>New General Revenue Dedicated</i>	Change in Number of State Employees from FY 2009
2012	(\$33,292)	\$33,292	0.5
2013	(\$22,792)	\$22,792	0.5
2014	(\$22,792)	\$22,792	0.5
2015	(\$22,792)	\$22,792	0.5
2016	(\$22,792)	\$22,792	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, 2011, except for provisions under Section 506.201, Occupations Code and Subchapters F, G, and H, Chapter 506, Occupations Code which take effect July 1, 2012.

### **Methodology**

For the purposes of this analysis, TMB estimates it would require an additional 0.5 FTE for an Administrative Assistant I (\$17,826 per year + \$4,966 per year for employee benefits) to process approximately 100 applications for licensing and regulating genetic doctors. In addition, the agency estimates there will be one time cost of \$7,500 in FY 2012 for remodeling fee and a one time cost of \$3,000 for information technology equipment.

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

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