

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 16, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1803 by Callegari (Relating to the renewal of a controlled substance registration by physicians; changing the payment schedule for a fee.), **Committee Report 2nd House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1803, Committee Report 2nd House, Substituted: an impact of \$0 through the biennium ending August 31, 2015.

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
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund	Probable Revenue Gain/(Loss) from General Revenue Fund
	1	1
2014	(\$126,000)	\$126,000
2015	\$0	\$0
2016	\$0	\$0
2017	\$0	\$0
2018	\$0	\$0

Fiscal Analysis

The bill would amend the Health and Safety Code to authorize the Department of Public Safety (DPS) to exempt certain physicians from registering with DPS each separate location where the

physician manufactures, distributes, prescribes, analyzes, dispenses, or possesses a controlled substance.

The bill would change the expiration date, from annual to not less than two years, of the controlled substances registration for individuals licensed by the Texas Medical Board (TMB). The bill would stipulate the controlled substances registration would expire every two years on the same date an individual's Medical Board license expires. The bill would require TMB to send a renewal notice for the controlled substance registration to a physician in conjunction with the medical license registration notice.

The bill would allow a physician to renew the combined registration by remitting to the TMB his or her registration permit renewal and the required DPS application and fee. The bill would require TMB to allow a physician to submit the information and pay the fee electronically. The bill would require TMB to adopt rules regarding a procedure for submitting the controlled substance registration renewal applications and applicable fees to DPS.

The bill would authorize DPS to charge an application fee of \$50.00, and an unspecified late fee. The bill would require DPS and TMB to coordinate adopting rules necessary to prevent conflicts and would direct TMB to create rules to minimize burden to Board and physicians. The bill would increase notification of license renewal from 30 days to 60 days prior to expiration date.

The bill would take effect January 1, 2014. The requirements of the bill would apply only to those DPS and TMB registrations that expire on or after this effective date.

Methodology

The Comptroller has estimated the fiscal implications of the bill to the state cannot be determined because neither the period for which a physician's license would be valid nor the amount of the fees the Department of Public Safety would be allowed to set are defined by the bill.

The Texas Medical Board (TMB) assumes it would need to make changes to its licensing system to implement the provisions of the bill. TMB estimates that approximately 1,210 hours of computer programming and business process analysis would be associated with the implementation. For the purpose of this analysis, the agency estimates a one-time technology cost of \$126,000 in fiscal year 2014. Based on the analysis provided by the agency, it is assumed that the Board would adjust license fees to cover any additional costs associated with the implementation of this bill.

It is assumed the costs associated with implementing the provisions of the bill for other state agencies would be offset with an indeterminate amount of revenue as the result of registration and late fees.

Technology

The Texas Medical Board (TMB) assumes it would need to make changes to its licensing system to implement the provisions of the bill. TMB estimates that approximately 1,210 hours of computer programming and business process analysis would be associated with the implementation. For the purpose of this analysis, the agency estimates a one-time technology cost of \$126,000 in fiscal year 2014.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 503 Texas Medical Board, 304
Comptroller of Public Accounts

LBB Staff: UP, CL, JAW, ESi, AI, NV