

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 21, 2013

TO: Honorable Richard Peña Raymond, Chair, House Committee on Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2072 by Rodriguez, Eddie (Relating to services for persons who are deaf or hard of hearing and licensing requirements for interpreters for persons who are deaf or hard of hearing; providing an administrative penalty; requiring a fee and changing the rate of a fee.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2072, Committee Report 1st House, Substituted: a negative impact of (\$98,103) 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	(\$98,103)
2016	(\$116,923)
2017	(\$116,923)
2018	(\$116,923)

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	(\$275,066)	\$275,066
2015	(\$373,169)	\$275,066
2016	(\$391,989)	\$275,066
2017	(\$391,989)	\$275,066
2018	(\$391,989)	\$275,066

Fiscal Year	Change in Number of State Employees from FY 2013
2014	1.5
2015	2.0
2016	2.0
2017	2.0
2018	2.0

Fiscal Analysis

The bill would amend Chapter 81 of the Human Resources Code to require that the Department of Assistive and Rehabilitative Services (DARS) license any person who provides interpreting services for individuals who are deaf or hard of hearing; exceptions are provided. Currently, DARS' Board for Evaluation of Interpreters (BEI) is responsible for testing and issuing of certificates to interpreters, and only those interpreting court proceedings are required to be certified. The bill would create a new subchapter assigning all of BEI's current duties and responsibilities for issuing certificates to the new licensing program. The bill would require that fees relating to licenses and examinations be set in amounts sufficient to defray the costs of the licensing program. The bill would provide for administrative penalties.

The bill would require that the executive commissioner of the Health and Human Services Commission (HHSC), in consultation with DARS, adopt rules to implement the new requirements no later than September 1, 2014. An individual would not be required to hold a license under the new section before September 1, 2014.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house, otherwise the bill would take effect September 1, 2013.

Methodology

According to analysis by DARS, implementation of the provisions of the bill would result in an additional 250 potential licensees along with the conversion of existing certificate holders to licensees. Costs indicated below for DARS would be mostly offset by fees (deposited to the General Revenue Fund), but additional funding and full-time equivalents (FTEs) would, however, need to be appropriated to DARS. Based on the costs below, the fee for an interpreter license would range from \$395 to approximately \$550, based on the licensee's level of proficiency. The fee for a license renewal would range from approximately \$150 to \$250. This would result in an increase in revenue of \$275,066 per year.

Total costs for DARS, including expenses related to FTEs, the filming and rating of the additional performance tests, and expenses for hearing officers and witnesses, are estimated to be \$275,066 in All Funds in fiscal year 2014, \$373,169 in fiscal year 2015, and \$391,989 in each fiscal year thereafter. DARS would need 1.5 FTEs in fiscal year 2014 and 2.0 in each year thereafter. Total costs for the 2014-15 biennium also include \$23,561 but no additional FTEs, for enterprise support services.

The Comptroller of Public Accounts indicates that penalty fines for violations could affect revenue collections, but the amounts in the aggregate cannot be determined.

Technology

According to DARS, some modifications to existing systems are likely; however, no estimate was provided.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 538 Assistive and Rehabilitative Services, Department of, 304 Comptroller of Public Accounts

LBB Staff: UP, CL, MB, VJC, NB