

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 3, 2019

TO: Honorable Senfronia Thompson, Chair, House Committee on Public Health

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
 Legislative Budget Board

IN RE: HB1092 by Zedler (Relating to the prescriptive authority of certain psychologists; authorizing a fee.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1092, As Introduced: a positive impact of \$7,900 through the biennium ending August 31, 2021.

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 |
|-------------|---|
| 2020 | \$0 |
| 2021 | \$7,900 |
| 2022 | \$26,900 |
| 2023 | \$23,900 |
| 2024 | \$11,900 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable Savings/(Cost) from <i>General Revenue Fund</i> 1 | Probable Revenue Gain/(Loss) from <i>General Revenue Fund</i> 1 | Change in Number of State Employees from FY 2019 |
|-------------|---|--|---|
| 2020 | (\$46,100) | \$46,100 | 1.0 |
| 2021 | (\$42,100) | \$50,000 | 1.0 |
| 2022 | (\$42,100) | \$69,000 | 1.0 |
| 2023 | (\$42,100) | \$66,000 | 1.0 |
| 2024 | (\$42,100) | \$54,000 | 1.0 |

Fiscal Analysis

The bill would amend the Occupations Code and make conforming changes to the Health and Safety Code relating to the prescriptive authority of certain psychologists; authorizing a fee.

The bill would require the Board of Examiners of Psychologists (BEP) to create a new certificate authorizing prescriptive authority for certain psychologists and requiring certain psychologists to obtain this certificate in order to issue a prescription order, administer or dispense a prescription drug, or order tests commonly associated with monitoring the use of prescription drugs.

The bill would set requirements for issuing a prescriptive authority certificate, require BEP to appoint an advisory committee, and authorize BEP to set a fee.

The bill would take effect on September 1, 2019.

Methodology

The bill would require BEP to create a new certificate for prescriptive authority for certain psychologists, and the agency estimates 550 current licensees would apply for the new certificate and 30 new applicants would apply annually.

The Comptroller of Public Accounts (CPA) estimates that agency will charge \$200 for initial prescriptive authority certificate applications and \$150 for application renewal, and BEP anticipates completing the process of adopting rules and implementing the new certificate late in fiscal year 2020. Due to the estimated timing of implementation, the CPA anticipates an insignificant increase in revenue collection in fiscal 2020 and staggered certification of the initial 550 eligible licensees from fiscal year 2021 to fiscal year 2023 at a rate of 250 applicants each fiscal year.

Under the provisions of the bill, the CPA estimates an increase in General Revenue of \$50,000 in fiscal year 2021, \$69,000 in fiscal year 2022, \$66,000 in fiscal year 2023, and \$54,000 in fiscal year 2024.

To implement the provisions of the bill, BEP estimates it would require 1.0 additional FTE for a Licensing and Permit Specialist to assist with the additional workload of licensed psychologists applying and submitting requirements for a certificate for prescriptive authority.

The estimated total cost to comply with the provisions of the bill would be 1.0 additional FTE and \$46,100 in fiscal year 2020 and \$42,100 in each subsequent fiscal year.

The estimated total impact to comply with the provisions of the bill would be a cost of \$46,100 to General Revenue in fiscal year 2020 and a gain to General Revenue of \$7,900 in fiscal year 2021, \$26,900 in fiscal year 2021, \$23,900 in fiscal year 2022, and \$11,900 in fiscal year 2024.

This analysis assumes that any increased cost to BEP, which is statutorily required to generate sufficient revenue to cover its costs of operation, would be offset by an increase in fee generated revenue.

Technology

BEP indicates that it could absorb any technology costs associated with implementing the provisions of the bill within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 520 Board of Examiners of Psychologists

LBB Staff: WP, AKi, SGr, ESt, LCO