

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 15, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

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

IN RE: HB1504 by Paddie (Relating to the continuation and functions of the Texas Medical Board; authorizing a fee.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1504, As Passed 2nd House: a positive impact of \$15,000 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 | \$7,000 |
| 2021 | \$8,000 |
| 2022 | \$8,000 |
| 2023 | \$8,000 |
| 2024 | \$8,000 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable Revenue Gain/(Loss) from <i>General Revenue Fund</i> 1 | Probable Revenue Gain/(Loss) from <i>Appropriated Receipts</i> 666 |
|--------------------|--|---|
| 2020 | \$7,000 | \$33,000 |
| 2021 | \$8,000 | \$33,000 |
| 2022 | \$8,000 | \$2,000 |
| 2023 | \$8,000 | \$2,000 |
| 2024 | \$8,000 | \$2,000 |

Fiscal Analysis

The bill would amend the Occupations Code relating to the continuation and functions of the Texas Medical Board (TMB); authorizing a fee.

The bill would continue the agency for twelve years until September 1, 2031.

The bill would require initial and renewal acupuncturist and surgical assistant applicants for licensure to submit fingerprints and information to TMB or the Department of Public Safety (DPS) for the purpose of a criminal history record check from DPS and the Federal Bureau of Investigation.

The bill would allow the board to enter into an agreement with DPS to administer the criminal history check and authorize DPS to collect from applicants an amount to cover the costs incurred by the agency in conducting the criminal history check. The bill would require all current licensees who have not undergone a criminal history check to do so by September 1, 2021.

The bill would create a new certificate type for Radiology Assistants and authorize the advisory board for Medical Radiologic Technology to issue the certificate and register Radiology Assistants. The bill would require TMB to approve rules to establish this certificate by January 1, 2020.

The bill would take effect on September 1, 2019.

Methodology

According to the Comptroller of Public Accounts (CPA), creating a new radiology assistant certificate would increase revenue TMB collects from fees, and the CPA estimates an initial increase of about 50 applicants for a new radiologist assistant certificate in fiscal year 2020 resulting in an increase of approximately \$7,000 in General Revenue. The CPA estimates an increase of \$8,000 in each subsequent fiscal year for 60 new applicants and renewals.

The requirement for new surgical assistant applicants to submit fingerprints and have a criminal background check through DPS would increase the workload for DPS by about 60 checks each year. Current acupuncture and surgical assistant licensees would be required to undergo this check by September 1, 2021. The current licensee population is approximately 1,615 licensees for both license types.

Applicants would pay DPS directly for the cost of fingerprinting and background checks. The cost to DPS would be recovered at \$38.25 per applicant.

The CPA assumes that implementing fingerprinting and background checks for new surgical assistants and renewing acupuncturists and surgical assistants would result in an increase to Appropriated Receipts of \$33,000 in fiscal years 2020 and 2021 for new applicants and current licensees renewing on a biennial basis. The CPA assumes an increase to Appropriated Receipts of \$2,000 in each subsequent fiscal year for an estimated 60 new surgical assistant applicants each year.

TMB and the CPA anticipate any costs relating to implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 503 Texas Medical Board, 116
Sunset Advisory Commission

LBB Staff: WP, SD, EST, AKi, SGr