

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: HB4412 by Sheffield (Relating to the licensing and regulation of surgical assistants.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4412, As Introduced: a positive impact of \$255,906 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 | \$77,478 |
| 2021 | \$178,428 |
| 2022 | \$74,278 |
| 2023 | \$142,128 |
| 2024 | \$169,978 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable Savings/(Cost) from General Revenue Fund 1 | Probable Revenue Gain/(Loss) from General Revenue Fund 1 | Probable Revenue Gain/(Loss) from Appropriated Receipts 666 | Change in Number of State Employees from FY 2019 |
|-------------|--|---|--|--|
| 2020 | (\$60,972) | \$138,450 | \$16,611 | 1.0 |
| 2021 | (\$58,972) | \$237,400 | \$1,695 | 1.0 |
| 2022 | (\$56,472) | \$130,750 | \$1,695 | 1.0 |
| 2023 | (\$56,472) | \$198,600 | \$1,695 | 1.0 |
| 2024 | (\$56,472) | \$226,450 | \$1,695 | 1.0 |

Fiscal Analysis

The bill would amend the Occupations Code as it relates to the licensing and regulation of surgical assistants. The bill would require certain healthcare providers practicing surgical assisting to obtain a surgical assistant license by January 1, 2021.

The bill would add a requirement for clinical hours and a criminal history background check for applicants for a surgical assistant license.

The bill would take effect July 1, 2019 if it receives a vote of two-thirds in each house. Otherwise, the bill would take effect September 1, 2019.

Methodology

The bill would increase the number of applicants for surgical assistant licensure and renewal at the Texas Medical Board (TMB), and TMB estimates an increase of surgical assistant applications for initial and renewal licenses of 400 in fiscal year 2020, 600 in fiscal year 2021, 350 in fiscal year 2022, 400 in fiscal year 2023, and 450 in fiscal year 2024.

TMB's fees for surgical assistant applicants are \$315 for initial applicants and \$557 for renewing applicants. Under the provisions of the bill, TMB estimates an increase to General Revenue of \$138,450 in fiscal year 2020, \$237,400 in fiscal year 2021, \$170,750 in fiscal year 2022, \$198,600 in fiscal year 2023, and \$226,450 in 2024.

To implement the provisions of the bill, this analysis assumes that TMB would require 1.0 additional full-time equivalent position, \$55,972 in fiscal year 2020, and \$53,972 in each subsequent fiscal year for a License and Permit Specialist.

To implement the provisions of the bill, TMB estimates that the Surgical Assistant Advisory Committee would need to meet twice each year in fiscal years 2020 and 2021 and once in each subsequent fiscal year. TMB estimates the cost of board member travel to be \$5,000 in fiscal years 2020 and 2021 and \$2,500 in each subsequent fiscal year.

The bill would require all current surgical assistants and new applicants to submit fingerprints and have a criminal background check through the Department of Public Safety (DPS). Applicants would pay DPS directly for the cost of fingerprinting and background checks. DPS assumes that implementing the fingerprinting and background checks for current surgical assistants and new applicants would result in an increase to Appropriated Receipts of \$16,611 in fiscal year 2020 and \$1,695 in each fiscal year thereafter.

The estimated total cost to General Revenue to comply with the provisions of the bill is \$60,972 in fiscal year 2020, \$58,972 in fiscal year 2021, and \$56,472 in each subsequent fiscal year.

This analysis assumes that any increased cost to TMB, 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

TMB estimates that the additional impact on IT resources due to changes to existing licensure requirements can be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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

LBB Staff: WP, AKi, SGr, ESt