

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**March 30, 2021**

**TO:** Honorable Stephanie Klick, Chair, House Committee on Public Health

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB2473** by Johnson, Ann (Relating to the licensing and regulation of music therapists; requiring an occupational license; authorizing fees.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2473, As Introduced : an impact of \$0 through the biennium ending August 31, 2023.

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:**

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	\$0
2023	\$0
2024	\$0
2025	\$0
2026	\$0

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Probable Revenue Gain/(Loss) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$146,991)	\$146,991	3.0
2023	(\$140,391)	\$140,391	3.0
2024	(\$140,391)	\$140,391	3.0
2025	(\$140,391)	\$140,391	3.0
2026	(\$140,391)	\$140,391	3.0

**Fiscal Analysis**

The bill would amend the Occupations Code as it pertains to professions related to certain types of therapy and would create a chapter related to music therapists, Chapter 456.

The bill would establish the definitions of terms used within the statute.

The bill would require a music therapy practitioner to possess a license unless certain criteria are met. The bill would restrict the usage of the title "music therapist" or associated language that implies an individual is a music therapist to those who possess the licensure established in this chapter.

The bill would create an advisory committee and establish the composition, terms, compensation, membership restrictions, and duties of the advisory committee.

The bill would require the Texas Medical Board (TMB), in consultation with the advisory committee and based upon the eligibility criteria within the bill, to establish the required qualifications, education, training, licensing examination, application form, and continuing education programs for music therapists.

The bill would authorize TMB to set and collect fees for music therapy licensure and would establish licensing requirements including license issuance and renewal, disciplinary standards for the profession, and circumstances of interstate licensing reciprocity.

The bill would establish the music therapy services which would and would not require a referral from a physician or another health professional.

The bill would require the TMB to begin accepting applications and issuing licenses for music therapists by March 1, 2022.

The bill would take effect September 1, 2021, except for provisions related to license requirements and disciplinary proceedings which would take effect September 1, 2022.

### **Methodology**

Based upon TMB's analysis of state-level historical data from the Certification Board for Music Therapists (CBMT), the agency anticipates that it would use its existing Surgical Assistant license type as a model fee structure given the comparable size of the licensee population. An initial \$315 application fee would be assessed with subsequent renewals being set at \$557.

The agency anticipates approximately 650 initial applications for music therapy licensure and predicts modest practitioner population growth of 40 new therapists each year per CBMT data. The bill would establish a biennial renewal structure, reducing revenue collected from licensing fees in fiscal year 2023 to that which is collected through initial applications.

The agency projects that it will require three Licensing and Permit Specialist III to implement the provisions of the bill and to meet increased workload. One FTE would assist with the increase in telephone, email, and web inquiries associated with the new license type. The other two FTEs would assist exclusively with processing applications and renewals and issuing licenses. Salary and benefit costs related to these new FTEs amount to \$140,391 per fiscal year.

This analysis assumes that the Texas Medical Board would collect sufficient revenue to offset any costs associated with the implementation of the bill.

### **Technology**

The Texas Medical Board estimates an additional one-time IT cost of \$6,600 to equip the new FTEs associated with the passage of the bill. TMB anticipates that any further costs related to technology needs for these positions could be reasonably absorbed by agency resources.

### **Local Government Impact**

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

**Source Agencies:** 304 Comptroller of Public Accounts, 503 Texas Medical Board

**LBB Staff:** JMc, AKI, MB, EJ, MBO

