

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 23, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3770 by Bucy (Relating to the verification of health care practitioner continuing education compliance and the establishment of continuing education tracking systems by health care practitioner licensing entities.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3770, As Introduced : an impact of \$0 through the biennium ending August 31, 2025.

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>	Probable Net Positive/(Negative) Impact to <i>General Revenue Related Funds</i>
2024	\$0
2025	\$0
2026	\$0
2027	\$0
2028	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain/(Loss) from <i>General Revenue Fund</i> 1
2024	(\$70,000)	\$70,000
2025	\$0	\$0
2026	\$0	\$0
2027	\$0	\$0
2028	\$0	\$0

Fiscal Analysis

The bill would amend the Occupations Code to create a new chapter that outlines continuing education requirements. The new chapter would only apply to licensing entities that issue licenses to health care practitioners. The new chapter outlines the requirements for continuing education, including universal access by practitioners and licensing entity staff, the verification of compliance through the continuing education tracking system, the prohibition of license renewal if a practitioner was not in compliance, and that the continuing education tracking system cannot have a ongoing cost on the licensing entity and must comply with the American with Disabilities Act of 1990. The bill would take effect September 1, 2023.

Methodology

To implement the bill, affected agencies would need to contract with a vendor or need an update to their current systems to implement the continuing education tracking system if they are not in compliance. Based on the analysis of the Board of Chiropractic Examiners, the estimate assumes that the agency would be required to update the agency's database to comply with the bill's provisions at a one-time cost of \$70,000 in fiscal year 2024. This analysis assumes that any increased cost to the board would be offset by an increase in fee-generated revenue because the Board of Chiropractic Examiners is statutorily required to generate sufficient revenue to cover its costs of operation.

Based on the analysis of the Texas Department of Licensing and Regulation, the Texas Medical Board, the Board of Dental Examiners, the Texas Board of Nursing, the Behavioral Health Executive Council, the Optometry Board, the Board of Pharmacy, and the Executive Council of Physical Therapy and Occupational Therapy Examiners, duties and responsibilities associated with implementing the bill could be accomplished by utilizing existing resources.

Technology

The bill would outline new requirements for agencies continuing education tracking systems. For agencies that are not in compliance, a one-time technology or vendor cost would be incurred in fiscal year 2024 to update systems to meet the new requirements.

Local Government Impact

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

Source Agencies: 452 Department of Licensing and Regulation, 503 Texas Medical Board, 507 Texas Board of Nursing, 508 Board of Chiropractic Examiners, 510 Behavioral Health Executive Council, 514 Optometry Board, 515 Board of Pharmacy, 533 Executive Council of Physical Therapy & Occupational Therapy Examiners

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