

## Department of Planning and Budget 2004 Fiscal Impact Statement

**1. Bill Number:** SB 312

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Bell

**3. Committee:** Education and Health

**4. Title:** Licensure conditions for certain methadone clinics; emergency.

**5. Summary/Purpose:** This bill prohibits the granting of an initial license to a facility for the provision of detoxification, treatment or rehabilitation of drug addicts through the use of the controlled substance, methadone, or other such controlled substances, if such facility is to be located within a one-half mile of a public or private K-12 school. In addition, the Commissioner is required to notify the local governing body of the jurisdiction in which such facility is to be located within 15 days of receiving notice of a proposal or an application to obtain initial licensure for methadone clinics. The local governing body may submit comments on the proposal or application that may include its compliance with this provision and applicable local ordinances. Existing clinics, i.e., licensed and operating in accordance with the law and regulations in effect on January 1, 2004, are grandfathered. Three enactment clauses provide that: (i) the Board of Mental Health, Mental Retardation and Substance Abuse Services must promulgate emergency regulations; and (ii) the Commissioner must not grant or issue any initial license for a methadone clinic after the date of the enactment of this provision, unless the facility is in compliance with these provisions, notwithstanding any regulations to the contrary.

**6. No Fiscal Impact.**

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** Based on average of two applications per year, it will require an additional half day per application to verify actual mileage between schools and proposed treatment facility. Monetary impact is minimal. However, the additional time required may increase the workload of existing staff whose time is already overtaxed.

**9. Specific agency or political subdivisions affected:** Department of Mental Health, Mental Retardation and Substance Abuse Services; local jurisdictions.

**10. Technical amendment necessary:** No.

**11. Other comments:** This bill is a companion to HB 304.

**Date:** 01/16/04 / jlv

**Document:** G:\04-06\Efis\Mhmr\Sb312.Doc Janet Vogelgesang

cc: Secretary of Health and Human Resources