

## Department of Planning and Budget 2012 Fiscal Impact Statement

**1. Bill Number:** HB 1106

<b>House of Origin</b>	<input 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 checked="" type="checkbox"/> Enrolled

**2. Patron:** Greason, Thomas A.

**3. Committee:** Passed Both Houses

**4. Title:** Behavior and assistant behavior analysts; licensure by Board of Medicine

**5. Summary:** The enrolled bill requires the Board of Medicine to license behavior and assistant behavior analysts. The bill also (i) requires the board to convene a workgroup relating to the licensure and practice of applied behavior analysis, (ii) requires the board to promulgate emergency regulations within 280 days of enactment, and (iii) contains an emergency clause.

**6. Budget Amendment Necessary:** No. There is no clear estimate as to the additional expenditure required by this legislation, however additional nongeneral fund appropriation can be provided administratively once such spending needs are determined.

**7. Fiscal Impact Cannot Be Determined** (See item 8)

**8. Fiscal Implications:** Although the regulation of behavior analysts and assistant behavior analysts will have a fiscal impact on the Board of Medicine, the amount and impact on licensure fees is unknown. It is assumed that costs for the Board of Medicine would increase in licensing and disciplinary functions as well as convening the required workgroup. The legislation does not require an advisory board. However, the Board of Medicine typically uses members of its advisory boards to review cases and to sit on informal conferences. Therefore, the Board of Medicine will likely have to engage subject matter experts to review cases and to assist with probable cause determination. Costs for experts can be \$2,000 to \$3,000 per case, which could exceed the costs of an advisory board with one or two cases per year. The fee structure for professions regulated by the Department of Health Professions (DHP) is established as to offset the anticipated costs of each board. Therefore, it is assumed that licensure fees for the Board of Medicine will be adjusted such that they cover the additional costs associated with the regulation of its practitioners, including behavior analysts and assistant behavior analysts.

**9. Specific Agency or Political Subdivisions Affected:** Department of Health Professions

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

**Date:** 1/31/12

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