

**Department of Planning and Budget
2012 Fiscal Impact Statement**

1. Bill Number: HB 938

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Lingamfelter, L. Scott

3. Committee: General Laws and Technology

4. Title: Military training, etc.; regulatory boards to accept as equivalent to requirements for licensures

5. Summary: The substitute proposal requires that, except for the Boards of Medicine and Dentistry, the regulatory boards within the Department of Professional and Occupational Regulation, the Department of Health Professions, or any board named in Title 54.1 to accept the military training, education, or experience of a service member returning from active military service in the armed forces of the United States, to the extent that such training, education, or experience is substantially equivalent to the requirements established by law and regulations of the respective board for the issuance of any license, permit, certificate, or other document, however styled or denominated, required for the practice of any business, profession, or calling in the Commonwealth. The bill provides that to the extent that the service member's military training, education or experience, or portion thereof, is not deemed substantially equivalent, the respective board shall credit whatever portion of the military training, education, or experience that is substantially equivalent toward meeting the requirements for the issuance of the license, permit, certificate, or other document. The bill authorizes a regulatory board to require the service member to provide such documentation of his training, education, or experience as deemed necessary to determine substantial equivalency. The bill defines the term "active military service."

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: The Department of Professional and Occupational Regulation and the Board of Accountancy maintain that this bill does not appear to have any fiscal impact on agency operations as both agencies already accept military training, education, and/or experience (whether returning from active duty or not).

While the bill exempts the Boards of Medicine and Dentistry from most of its provisions, the Department of Health Professions expects an increase in expenses and associated regulatory fees for its remaining health regulatory boards; however a specific dollar impact cannot be

estimated at this time. The department maintains that an individualized review of an applicant's military training coursework, documents describing experience, etc., would require additional licensing staff across the impacted professions within the department, especially in the Board of Nursing. The department maintains that the provisions of this bill might make it necessary to establish a "Virginia-only" professional examination because nationally recognized examinations currently required for licensure require graduation from an approved educational program. Costs estimates for the creation of a psychometrically-sound, legally defensive professional examination start at \$500,000 and may exceed \$1.0 million per examination. The additional staff required for processing such applications and obtaining all the background documentation would likely necessitate an increase in fees for all licensees, even without the additional costs of examinations. The exact impact on fees cannot be determined until the agency has more experience with the impacted population. While nongeneral fund dollars and positions would have to be appropriated, such action can occur administratively until such time as a clear impact can be determined and included in the Appropriation Act.

9. Specific Agency or Political Subdivisions Affected:

Department of Professional and Occupational Regulation
Department of Health Professions
Board of Accountancy

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 2/15/12

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