

Department of Planning and Budget 2013 Fiscal Impact Statement

1. Bill Number: HB1641

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

2. Patron: Knight, B. D.

3. Committee: General Laws and Technology

4. Title: Department of Professional and Occupational Regulation; powers and duties of regulatory boards; waiver of informal fact-finding conference.

5. Summary: This bill provides the Department of Professional and Occupational Regulation (DPOR) the ability to waive an informal fact-finding conference (IFF) for disciplinary cases in certain situations. The Administrative Process Act requires that any agency conduct an IFF conference prior to a regulatory board issuing a disciplinary case decision. This proposal would allow DPOR to forego the IFF conference in disciplinary cases in which the respondent is non-responsive or cannot be located. The proposed legislation contains provisions on how and under which format the notice may be sent to the regulants.

The amended version of the bill adds an additional provision which requires the board to remand the case to an IFF if the regulant asserts his right to be heard prior to the board issuing its case decision.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2013	\$0	0.0	n/a
2014	(\$28,500)	0.0	Dedicated Special Revenue
2015	(\$28,500)	0.0	Dedicated Special Revenue
2016	(\$28,500)	0.0	Dedicated Special Revenue
2017	(\$28,500)	0.0	Dedicated Special Revenue
2018	(\$28,500)	0.0	Dedicated Special Revenue
2019	(\$28,500)	0.0	Dedicated Special Revenue

7b. Revenue Impact: None.

8. Fiscal Implications: This bill decreases the administrative and regulatory responsibilities of DPOR by reducing the number of informal fact-finding conferences. The department conducts an average of 340 disciplinary informal fact-finding conferences each year.

Operating Costs: Under this legislation, the number of disciplinary informal fact-finding conferences is expected to decline by approximately 170 annually. The cost of court reporters for those proceedings averages \$168 per informal fact-finding conference. DPOR expects to reduce total costs by approximately \$28,500 each fiscal year.

9. Specific Agency or Political Subdivisions Affected: Department of Professional and Occupational Regulation.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is identical to SB1179 as amended and passed by the Senate.

Date: 1/29/13

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