

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1811-03  
Bill No.: HCS for HB 665  
Subject: Administrative Law; Economic Development Dept.; Licenses - Professional  
Type: Original  
Date: April 18, 2005

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
General Revenue	\$486,542	\$584,840	\$577,142
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$486,542</b>	<b>\$584,840</b>	<b>\$577,142</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
MoPHS*	\$0	\$0	\$0
Insurance Dedicated	(\$8,900)	\$0	\$0
Board of Private Investigator Examiners	\$0	\$189,953	(\$99,221)
Medical Imaging and Radiation Therapy	\$0	\$357,836	(\$189,953)
PR Fees	(\$36,131)	\$36,131	\$0
<b>Total Estimated Net Effect on Other State Funds</b>	<b>(\$45,031)</b>	<b>\$583,920</b>	<b>(\$289,174)</b>

\* Revenues and expenditures expected to exceed \$1 million annually and net to \$0.

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 19 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
Federal	\$356,903	\$421,988	\$432,976
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$356,903</b>	<b>\$421,988</b>	<b>\$432,976</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Local Government</b>	<b>(Unknown exceeding \$800,000)</b>	<b>(Unknown exceeding \$750,000)</b>	<b>(Unknown exceeding \$750,000)</b>

**FISCAL ANALYSIS**

ASSUMPTION

Officials from the **Office of Secretary of State (SOS) - Division of Business Services, Department of Revenue, Department of Social Services, Missouri Consolidated Health Care Plan, Department of Public Safety - Missouri State Highway Patrol, Office of State Treasurer, Office of the Governor, Office of State Courts Administrator, Southwest Missouri State University and Kansas City Metropolitan Community Colleges** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Office of Administration - Administrative Hearing Commission** state this proposal will not significantly alter its caseload. However, if other similar proposals also pass, there are more cases, or the cases are more complex, there could be a fiscal impact.

Officials from the **Office of Prosecution Services** state the proposal will not have a significant direct fiscal impact on county prosecutors.

ASSUMPTION (continued)

Officials from the **SOS - Division of Administrative Rules** state this proposal regulates various professional licenses and will also merge several boards. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Economic Development and the Department of Health and Senior Services could require as many as 174 pages in the Code of State Regulations. For any given rule, roughly one-half again as many pages are published in the Missouri Register as are published in the Code because of cost statements, fiscal notes and notices that are not published in the Code. The estimated cost of a page in the Missouri Register is \$23. The estimated cost of a page in the Code of State Regulations is \$27. The actual cost could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules, filed, amended, rescinded, and withdrawn. The SOS estimates the cost of the proposal to be \$10,701 [(174 pgs. X \$27) + (261 pgs. X \$23)] for FY 06.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Office of Attorney General (AGO)** state with regard to provisions relating to licenses under the Comprehensive Emergency Medical Services Act (Section 190.550), exam requirements for licensed geologists (Section 256.468), distance dental hygienist education program (Section 332.302 et seq.), deletion of certain requirements for physician assistants (Section 334.735), changes in education requirements for clinical social workers (Section 337.600 et seq.), association memberships for bail bond agents and surety recovery agents (Section 374.710 et seq.), a new definition of student athletes (Section 436.218) and requirements for sonographers and vascular technologists (Section 1), the AGO assumes that these provisions will either create no costs or any potential costs can be absorbed with existing resources.

Sections 328.010 et seq. will reduce four sets of professional boards into two. The AGO assumes that because of the changes in this proposal, its staffing requirements will either stay the same or may decrease over time. The AGO assumes that this proposal creates no fiscal impact.

With regard to provisions relating to private investigators (Sections 324.1100 et seq.), this proposal creates an additional board and an additional category of licensees within the Division of Professional Registration, which would have investigative and subpoena powers. The AGO assumes it would need 0.5 FTE Assistant Attorney General (AAG) II to assist the Board in the rule-making process, licensing and investigative matters, as well as any litigation that might result from the investigations the board undertakes as authorized by the proposal.

ASSUMPTION (continued)

The "Medical Imaging and Radiation Therapy Quality Assurance Act of 2005" (Section 334.1000 et seq.) creates a new licensing board within the Division of Professional Registration. The Board has the power to license, accredit, discipline and hear appeals. The AGO assumes it would need 0.5 FTE AAG I to assist the Board in the rule-making process, licensing and investigating matters.

Therefore, the AGO assumes this proposal will result in additional costs in FY 06 of \$58,979; FY 07 of \$63,200; and FY 08 of \$64,838.

**Oversight** assumes the AGO would not hire two part-time AAGs and would assign the duties to existing staff. In addition, **Oversight** assumes costs related to the Private Investigators Board and the Medical Imaging and Radiation Therapy Board would be reimbursed by the Department of Economic Development - Division of Professional Registration.

Officials from the **Department of Higher Education (CBH)** state sections 332.302 to 332.305 of this proposal would not have a fiscal impact on the CBH. However, because the Department of Economic Development is required to establish this program, this proposal will result in a negative fiscal impact. The estimated fiscal impact is unknown.

The **Department of Health and Senior Services (DOH)** assumes this proposal would provide funding for the Unit of Emergency Medical Services (EMS) to continue its operations. Currently, the Unit of EMS is funded by the Preventative Health and Health Services (PHHS) Block Grant and state General Revenue.

DOH assumes for fiscal note purposes that the licensure and accreditation fees assessed as a result of this legislation would cover the entire cost of operating the Unit of EMS. The fees collected would replace General Revenue and federal PHHS block grant funding. Based on that assumption, DOH states fees would need to be set to generate approximately \$1,280,000 per year (based on full year costs for FY 2007.)

**Oversight** has presented income from fees to be the same as the costs of the program. Since DOH can establish the fees, theoretically, the fees would be set to cover the cost of the program.

Officials from the **Taney County Ambulance District (Taney Co.)** is unable to determine the fiscal impact of this proposal on its district. Taney Co. estimates the cost to emergency medical systems across the state would be \$500,000 to \$1 million.

Officials from the **Department of Insurance (INS)** state the proposal would require the INS to establish rules for professional associations and verify association membership during the

ASSUMPTION (continued)

licensing process. Additional staff and expenses are not being requested with this single proposal, but if multiple proposals pass during the legislative session which require additional changes to the licensing process, the INS will need to request additional staff to handle the increase in workload.

The INS estimates one time computer contracting costs of \$9,093 would be required to modify the licensing database to allow for entry, tracking and reporting of association membership of agents.

**Oversight** is adjusting the computer contracting costs to correspond to costs the INS expected to incur in an earlier proposal containing identical language from the current session (SB 213).

Officials from the **University of Missouri (UM)** state UM would incur additional costs between \$200,000 and \$750,000 if the proposal were enacted. The cost for the Distance Dental Hygienist Education Program would vary according to the number of delivery sites. Estimated start-up costs would involve approximately \$100,000 in salary and wages and approximately \$100,000 in facility upgrades at the sending institution.

Officials from the **Department of Economic Development - Division of Professional Registration (DED-PR)** provide the following assumptions related to this proposal:

**Private Investigators - Sections 324.1100 - 324.1148, 571.030 and 621.045**

Based on an estimate from an internet search for investigators and private detectives, it is estimated there are approximately 118 individuals and 442 businesses in the state of Missouri that will be required to be licensed (560 total). DED-PR estimates a 3% growth rate and assumes licensure begins in FY 07, resulting in revenue to the Board of Private Investigator Examiners Fund in FY 07 of \$294,000. Revenues for FY 07 are estimated to be \$4,410.

DED-PR assumes all fees collected and all expenses would be deposited into and paid out of the Board of Private Investigator Examiners Fund. DED-PR notes expenses occurring prior to an appropriation (FY 06) would be borrowed from another fund within Professional Registration and paid back in FY 07 or FY 08.

DED-PR assumes implementation of the proposal will require hiring an additional 1.5 FTE in FY 07, as follows: Principal Assistant ( 0.5 FTE at \$59,532) to serve as the senior executive officer of the agency, Licensure Technician II (0.5 FTE at \$26,292) to provide technical support, process applications for licensure and respond to any inquiries related to the licensure law or

ASSUMPTION (continued)

rules & regulations, and an Account Clerk II (0.5 FTE at \$24,984) to provide support for DED-PR Central Accounting and Central Cash Receiving Room. DED-PR assumes rental space will be needed for these additional FTE at an annual cost of approximately \$4,155.

DED-PR assumes the five (5) member board would meet four (4) times per year for two (2) days per meeting, in Jefferson City. DED-PR notes the Principal Assistant, Licensure Technician and an Attorney General representative will also attend the meeting. DED-PR assumes there would be four (4) meetings in FY 06 to promulgate rules and regulations. It is estimated that each board member will receive \$70 per diem for each day conducting board business.

DED-PR assumes twelve (12) complaints would be received each year and would require, on average, five hours each to complete. DED-PR estimates 15% of these complaints (2) will require field investigations, each needing 30 hours of field work and one night's lodging. Travel expenses for the investigation are estimated at \$670 annually. DED-PR assumes complaints and investigations would not start until FY 08.

DED-PR assumes there will be a cost associated with needing the services of the Attorney General's Office (AGO). DED-PR estimates 25% of investigations (1) would be forwarded to the AGO for further action. Assuming \$5,400 cost per case, DED-PR estimates \$5,400 annually beginning in FY 08. DED-PR also estimates the AGO would provide approximately 60 hours of assistance with rules, opinions and meetings per year. Assuming an hourly rate of \$60.87, these costs are estimated at \$3,652 yearly beginning in FY 06.

DED-PR assumes printing and postage costs will be incurred in the first year for statute and rule mailings and for startup printing of rules, applications, letterhead and envelopes. DED-PR estimates printing and postage costs at \$6.25 per licensee in the first year, for a total cost of \$3,500. Subsequent years' printing and postage costs are expected to be \$2,500 annually, based on a similarly-sized board.

DED-PR assumes licensed investigators and private detectives will represent 0.50% of DED-PR's overhead. As such, the board will be required to reimburse the Division and the Department of Economic Development for its share of administrative overhead costs, \$14,054 per annum. DED-PR assumes these costs will begin in FY 06.

For fiscal note purposes only, **Oversight** assumes the following for the Board of Private Investigator Examiners:

1) Private investigative businesses may have more than one investigator and have adjusted the total number of potential licensees to 1,000 and assumes DED-PR's request of 1.5 additional FTE should be sufficient to handle the workload;

ASSUMPTION (continued)

2) Addition rental space would not be required and no additional furniture should be required since requested FTE are all part-time positions;

3) The \$14,054 in administrative costs will generally offset the required reimbursement of other funds, and will not be used for the new FTE.

5) **Oversight** has, for fiscal note purposes only, changed the starting salary for the part-time Licensure Technician II and the Account Clerk II to correspond to the second step above minimum for comparable positions in the state's merit system pay grid. This decision reflects a study of actual starting salaries for new state employees for a six month period and the policy of the Oversight Subcommittee of the Joint Committee on Legislative Research.

6) Fees have been adjusted to reflect an amount needed to cover operations of the board. Biennial fees of \$300 result in revenue of \$300,000 for the Board of Private Investigator Examiners Fund for FY 07 and \$4,500 for the fund for FY 08. Sufficient fee income should be generated during each biennial fee cycle to cover expenses of operations during the second year of the cycle.

**Medical Imaging and Radiation Therapy - Sections 334.1000 - 334.1024 and Section 1.**

Based on an estimate of Occupational Projections by the DED, Missouri Works, Labor Market Information for nuclear medical technologists, radiologic technologies, and radiation therapists, it is estimated there are approximately 5,140 individuals in the state of Missouri that will be required to be licensed. The DED-PR assumes a fee of \$125 will be paid for all categories of licensure with biennial renewal. The DED-PR estimates a 3% growth rate and assumes licensure begins in FY 07, resulting in revenue to the Medical Imaging and Radiation Therapy Fund of \$642,500 in FY 07. Revenues for FY 08 are estimated to be \$11,565.

The DED-PR assumes all fees collected and all expenses would be deposited into and paid out of the Medical Imaging and Radiation Therapy Fund. The DED-PR notes expenses occurring prior to an appropriation (FY 06) would be borrowed from another fund within Professional Registration and paid back in FY 07 or FY 08.

The DED-PR assumes implementation of the proposal will require hiring an additional 1.5 FTE in FY 07, as follows: Principal Assistant (0.5 FTE at \$59,532) to serve as the senior executive officer of the agency, Licensure Technician II (0.5 FTE at \$26,292) to provide technical support, process applications for licensure and respond to any inquiries related to the licensure law or rules & regulations, and an Account Clerk II (0.5 FTE at \$24,984) to provide support for DED-PR Central Accounting and Central Cash Receiving Room. The DED-PR assumes rental space will be needed for these additional FTE at an annual cost of approximately \$4,155.

ASSUMPTION (continued)

The DED-PR assumes the eleven (11) member board would meet four (4) times per year for two (2) days per meeting, in Jefferson City. The DED-PR notes the Principal Assistant, Licensure Technician and an Attorney General representative will also attend the meeting. The DED-PR assumes there would be four (4) meetings in FY 06 to promulgate rules and regulations. It is estimated that each board member will receive reimbursement for expenses for each day conducting board business. The proposal does not allow members to receive any other compensation.

The DED-PR assumes 182 complaints would be received each year and would require, on average, five hours each to complete. The DED-PR estimates 30% of these complaints (55) will require field investigations, each needing 30 hours of field work and one night's lodging. Travel expenses for the investigation are estimated at \$18,590 annually. The DED-PR assumes complaints and investigations would not start until FY 08.

The DED-PR assumes there will be a cost associated with needing the services of the Attorney General's Office (AGO). The DED-PR estimates 25% of investigations (14) would be forwarded to the AGO for further action. Assuming \$5,400 cost per case, the DED-PR estimates \$75,600 annually beginning in FY 08. The DED-PR also estimates the AGO would provide approximately 60 hours of assistance with rules, opinions and meetings per year. Assuming an hourly rate of \$60.87, these costs are estimated at \$3,652 yearly beginning in FY 06.

The DED-PR assumes printing and postage costs will be incurred in the first year for statute and rule mailings and for startup printing of rules, applications, letterhead and envelopes. The DED-PR estimates printing and postage costs at \$6.25 per licensee in the first year, for a total cost of \$32,125. Subsequent years' printing and postage costs are expected to be \$5,500 annually, based on a similarly-sized board.

The DED-PR assumes licensed medical imaging and radiation therapists will represent 1.49% of DED-PR's overhead. As such, the board will be required to reimburse the Division and the Department of Economic Development for its share of administrative overhead costs, \$42,503 per annum. The DED-PR assumes these costs will begin in FY 06.

For fiscal note purposes only, **Oversight** assumes the following for the Medical Imaging and Radiation Therapy Board:

1) The \$42,503 in administrative costs will generally offset the required reimbursement of other funds, and will not be used for the new FTE.



ASSUMPTION (continued)

2) Rental space will not be required for three additional part time FTE. Additional furniture and equipment will not be required for the 0.5 FTE positions.

3) **Oversight** has, for fiscal note purposes only, changed the starting salary for the Licensure Technician II and the Account Clerk II to correspond to the second step above minimum for comparable positions in the state's merit system pay grid. This decision reflects a study of actual starting salaries for new state employees for a six month period and the policy of the Oversight Subcommittee of the Joint Committee on Legislative Research.

4) Fees have been adjusted to reflect an amount needed to cover operations of the board. Biennial fees of \$100 result in revenue of \$514,000 for the Medical Imaging and Radiation Therapy Fund for FY 07 and \$14,500 for the fund for FY 08. Sufficient fee income should be generated during each biennial fee cycle to cover expenses of operations during the second year of the cycle.

The DED-PR states having sought the conclusion of the appropriate boards, they are of the opinion the proposal will have no fiscal impact on their organization as it relates to the following sections:

**228.010 - 228.160, 329.010 - 329.265, and 337.500 - 337.736** - Barbers and Cosmetologist Boards combined and Professional Counselors and Marital and Family Therapists Boards combined;

**256.468, 334.735, 436.218, and 621.045** - Geologist Licenses, Student Athletes and other licencing provisions;

**332.312** - Distance Dental Hygienist Learning Program;

**334.735** - Physician Assistants;

**337.603 - 337.653** - Clinical Social Worker Licensing; and

**344.040** - Nursing Home Administrator Licenses

Officials from the **St. Charles County Ambulance District (St. Charles)** did not respond to our request for a statement of fiscal impact. However, in response to an earlier version of this proposal, St. Charles stated they were unable to offer an estimate of the fiscal impact on their services as no fee schedule has been provided. St. Charles also stated it was their understanding that the amount of money the Department of Health and Senior Services Unit of emergency medical services needs to replace is between \$500,000 and \$1 million, so St. Charles assumed the cost to providers would be between that amount each year.

ASSUMPTION (continued)

Officials from the **Valle Ambulance District (Valle)** did not respond to our request for a statement of fiscal impact. However, in response to an earlier version of a proposal contained within this substitute, Valle stated they would have an unknown fiscal impact depending on the fee structure set up by the Department of Health and Senior Services.

Officials from the **Department of Mental Health (DMH)** did not respond to our request for a statement of fiscal impact. However, in response to a similar proposal, the DMH assumed the proposal would have no fiscal impact on their organization.

Officials from the **Department of Corrections (DOC)** did not respond to our request for a statement of fiscal impact. However, in response to various proposals contained within this substitute, the DOC stated the DOC cannot predict the number of new commitments which may result from the creation of the offenses(s) outlined in this proposal. An increase in commitment depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through either incarceration (FY 04 average of \$38.37 per inmate per day or an annual cost of \$14,005 per inmate) or through supervision provided by the Board of Probation and Parole (FY 03 average of \$3.15 per offender, per day or an annual cost of \$1,150 per offender per year).

DOC assumes the narrow scope of the crime will not encompass a large number of offenders. The low felony status of the crime enhances the possibility of plea-bargaining or the imposition of a probation sentence. The probability also exists that offenders would be charged with a similar but more serious offence of that sentences may run concurrent to one another.

Supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

Officials from the **Missouri Senate** did not respond to our request for a statement of fiscal impact. However, in response to various proposals contained within this substitute, the Missouri Senate assumed the proposals would have no fiscal impact on their organization.

Officials from the **Office of State Public Defender (SPD)** did not respond to our request for a statement of fiscal impact. However, in response to various proposals contained within this substitute, the SPD assumed the proposals would have no fiscal impact on their organization.

ASSUMPTION (continued)

Officials from **Missouri Southern State College (Missouri Southern)** did not respond to our request for a statement of fiscal impact. However, in response to a similar proposal related to the distance dental hygienist program, Missouri Southern stated in June 2003 the Missouri Dental Association (MDA) convened a special meeting of the Dental Hygiene Program educators to discuss their concern about access to dental hygiene services throughout the state. Missouri Southern agreed to move forward to develop distance programs and in January 2004, the MDA Foundation donated \$25,000 to assist Missouri Souther in the preliminary development of these programs.

Since this initial commitment, Missouri Southern faculty have been preparing to deliver the dental hygiene curriculum by Instructional TV (ITV) and Internet with the clinical instruction provided at the offsite locations. Missouri Southern secured a Congressional direct grant of approximately \$1 million for the one-time equipment costs for two off-site clinics. This grant must be spent between May 2005 and April 2006. It is critical that Missouri Southern secure appropriations for recurring expenses to operate these two programs on an annual basis beginning with the 2006 fiscal year. If funds are not secured for the recurring costs of the State of Missouri, its citizens will lose the million dollar grant for increasing access to preventative oral health services. If funds are secured, it is feasible to have these two sites accept their first group of qualified students by the Fall 2006.

These two off-site clinics were identified using the 2002 Missouri Dental Board license renewal data to identify areas of the state with the greatest need of preventative oral health services. The two sites being targeted are the Central and Northeast regions of the state.

The recurring costs for operations of these two clinical sites are projected to be around \$500,000 annually.

Officials from **Central Missouri State University, East Central College, Harris-Stowe, Lincoln University, Missouri Western College, Southeast Missouri State University, and Truman University** did not respond to our request for a statement of fiscal impact.

**This proposal would increase total state revenues.**

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
<b>GENERAL REVENUE</b>			
<u>Savings--Department of Health and Senior Services</u>			
Emergency Medical Services funding	<u>\$486,542</u>	<u>\$584,840</u>	<u>\$577,142</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>\$486,542</u></b>	<b><u>\$584,840</u></b>	<b><u>\$577,142</u></b>
<b>MISSOURI PUBLIC HEALTH SERVICES FUND</b>			
<u>Income--Department of Health and Senior Services</u>			
Emergency personnel license fees	\$821,729	\$1,011,515	\$1,037,614
<u>Costs--Department of Health and Senior Services</u>			
Personal Service (15 FTE)	(\$483,974)	(\$595,288)	(\$610,171)
Fringe Benefits	(\$206,463)	(\$253,950)	(\$260,299)
Expense and Equipment	(\$131,292)	(\$162,277)	(\$167,144)
<u>Total Costs--Department of Health and Senior Services</u>	<u>(\$821,729)</u>	<u>(\$1,011,515)</u>	<u>(\$1,037,614)</u>
<b>ESTIMATED NET EFFECT ON MISSOURI PUBLIC HEALTH SERVICES FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b>INSURANCE DEDICATED FUND</b>			
<u>Costs - Department of Insurance</u>			
Computer contracting costs	(\$8,900)	\$0	\$0
<b>ESTIMATED NET EFFECT ON INSURANCE DEDICATED FUND</b>	<b><u>(\$8,900)</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
<b>BOARD OF PRIVATE INVESTIGATOR EXAMINERS FUND</b>			
<u>Transfer-In - DED-PR</u>			
Transfer from PR Fees Fund	\$13,788	\$0	\$0
<u>Income - DED-PR</u>			
Licensure Fees/Renewals		\$300,000	\$4,500
<u>Costs - DED-PR</u>			
Personal Service (1.5 FTE)	\$0	(\$54,660)	(\$56,027)
Fringe Benefits	\$0	(\$23,318)	(\$23,901)
Expense and Equipment	(\$10,136)	(\$14,629)	(\$14,741)
AGO Costs	<u>(\$3,652)</u>	<u>(\$3,652)</u>	<u>(\$9,052)</u>
Total <u>Costs</u> - DED-PR	(\$13,788)	(\$96,259)	(\$103,721)
<u>Transfer-Out - DED-PR</u>			
Transfer to PR Fees Fund	<u>\$0</u>	<u>(\$13,788)</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON BOARD OF PRIVATE INVESTIGATOR EXAMINERS FUND</b>			
	<u>\$0</u>	<u>\$189,953</u>	<u>(\$99,221)</u>

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
<b>MEDICAL IMAGING AND RADIATION THERAPY FUND</b>			
<u>Transfer-In - DED-PR</u>			
Transfer from PR Fees Fund	\$22,343	\$0	\$0
<u>Income - DED-PR</u>			
Licensure Fees/Renewals	\$0	\$514,000	\$15,500
<u>Costs - DED-PR</u>			
Personal Service (1.5 FTE)	\$0	(\$54,660)	(\$56,027)
Fringe Benefits	\$0	(\$23,318)	(\$23,901)
Expense and Equipment	(\$18,691)	(\$52,191)	(\$45,913)
AGO Costs	<u>(\$3,652)</u>	<u>(\$3,652)</u>	<u>(\$79,252)</u>
Total <u>Costs</u> - DED-PR	(\$22,343)	(\$133,821)	(\$205,093)
<u>Transfer-Out - DED-PR</u>			
Transfer to PR Fees Fund	<u>\$0</u>	<u>(\$22,343)</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON MEDICAL IMAGING AND RADIATION THERAPY FUND</b>	<b><u>\$0</u></b>	<b><u>\$357,836</u></b>	<b><u>(\$189,593)</u></b>
<b>PR FEES FUND</b>			
<u>Transfer-In - DED-PR</u>			
Transfer from Private Investigator Examiners Board Fund	\$0	\$13,788	\$0
Transfer from Medical Imaging and Radiation Therapy Board Fund	<u>\$0</u>	<u>\$22,343</u>	<u>\$0</u>
Total <u>Transfer-In</u> - DED-PR	<u>\$0</u>	<u>\$36,131</u>	<u>\$0</u>
<u>Transfer-Out - DED-PR</u>			
Transfer to Private Investigator Examiners Board Fund	(\$13,788)	\$0	\$0
Transfer to Medical Imaging and Radiation Therapy Board Fund	<u>(\$22,343)</u>	<u>\$0</u>	<u>\$0</u>
Total <u>Transfer-Out</u> - DED-PR	<u>(\$36,131)</u>	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON PR FEES FUND</b>	<b><u>(\$36,131)</u></b>	<b><u>\$36,131</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
<b>FEDERAL FUNDS</b>			
<u>Savings—Department of Health and Senior Services</u>			
PHHS Block Grant Funds	<u>\$356,903</u>	<u>\$421,988</u>	<u>\$432,976</u>
<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>	<b><u>\$356,903</u></b>	<b><u>\$421,988</u></b>	<b><u>\$432,976</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
<b>LOCAL FUNDS</b>			
<u>Costs - Local Ambulance Districts</u>			
Emergency personnel licensing fees	(Unknown up to \$1,000,000)	(Unknown up to \$1,000,000)	(Unknown up to \$1,000,000)
<u>Costs - Universities and Colleges</u>			
Distance dental hygiene program	<u>(Unknown exceeding \$800,000)</u>	<u>(Unknown exceeding \$750,000)</u>	<u>(Unknown exceeding \$750,000)</u>
<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>	<b><u>(Unknown exceeding \$800,000)</u></b>	<b><u>(Unknown exceeding \$750,000)</u></b>	<b><u>(Unknown exceeding \$750,000)</u></b>

FISCAL IMPACT - Small Business

Small businesses that employ emergency personnel, radiation and medical imaging therapists, private investigators, dental hygienists, social workers, bail bondsmen and surety recovery agents may be impacted by this proposal.

DESCRIPTION

This proposal changes the laws regarding the Division of Professional Registration and the Department of Health and Senior Services. The proposal:

- (1) Authorizes the Department of Health and Senior Services to establish a fee schedule for specific licenses for emergency personnel. Moneys collected by the department will be deposited into the Missouri Public Health Services Fund. These provisions will not apply to persons employed by volunteer ambulance services;

DESCRIPTION (continued)

- (2) Removes the grandfather provisions regarding the licensing of geologists;
- (3) Establishes the Board of Private Investigator Examiners within the Division of Professional Registration. No person can provide private investigative services without first being licensed.

The makeup and duties of the board; exemptions from licensure; requirements for application and licensure; proof of liability insurance; training and written examinations; fees; background checks on applicants; denial, suspension, or revocation of licenses; types and terms of licenses; and reciprocity are specified. Licensees are allowed to disclose to the board, any law enforcement agency, a prosecutor, or the licensee's own representative any information regarding a criminal offense or to instruct their clients to do so if they are victims of a criminal act. Licensees are prohibited from making false reports, presenting themselves as a state or federal officer, or manufacturing false evidence. Certain identifying evidence must be filed with the board by licensees. Private investigators or investigator agencies are required to maintain complete records of business transactions. Records may be confidentially examined by the authority of the board under certain circumstances. Licensed private investigators are allowed to carry concealed weapons;

- (4) Increases from 750 to 800 the number of hours a manicurist apprentice must complete in order to be licensed. Persons are allowed to make application for the required licensing examination if they are graduates of a foreign cosmetology program and the State Board of Cosmetology determines that the program has educational requirements which are substantially the same as an educational establishment licensed by the board;

- (5) Combines the State Board of Barber Examiners and the State Board of Cosmetology to become the State Board of Cosmetology and Barber Examiners. The provisions of this section has an effective date of July 1, 2006;

- (6) Establishes the Dental Hygienist Distance Learning Committee and authorizes the Department of Economic Development to contract with an institution of higher education to establish a distant dental hygienist learning program for the purpose of off-site clinical and didactic training. The program must meet all standards established by the Council on Dental Accreditation;

- (7) Removes conflicting provisions of law regarding the definition of "physician assistants";

- (8) Establishes the Medical Imaging and Radiation Therapy Board of Examiners within the Division of Professional Registration. All persons administering medical imaging and radiation therapy procedures are required to be licensed by the board. Physicians, dentists, chiropractors,



DESCRIPTION (continued)

podiatrists, registered nurses, certain qualified persons currently practicing medical imaging and radiation therapy are exempt from licensure. Certain criteria is established to be met by applicants for licensure as radiographers, radiation therapists, nuclear medicine technologists, and dental radiographers. The board is authorized to certify programs for medical imaging and radiation therapy in medical facilities, dental facilities, educational institutions, or other public or private institutions; adopt rules; give examinations; waive examination requirements; establish continuing education; issue temporary permits; renew, revoke, and suspend licenses; and investigate charges and allegations brought against licensees, issue subpoenas, hold hearings, render judgments, and hear appeals;

(9) Requires applicants for licensure as clinical social workers to complete 3,000 hours of supervised clinical experience under a licensed clinical social worker within a specified period of time. The proposal removes the requirement that licensed clinical social workers applying for a Missouri license pass an examination on Missouri laws and regulations governing the practice of social work and be a member in good standing of the Academy of Certified Social Workers. The proposal authorizes the State Committee for Social Workers to require a minimum of 30 hours of continuing education for license renewal, requires the committee to establish ethical standards based on the code of ethics of the National Association of Social Workers, and clarifies the practice of baccalaureate social work;

(10) Combines the State Committee for Professional Counselors and the State Committee of Marital and Family Therapists to become the State Board of Counselors and Therapists;

(11) Authorizes the Board of Pharmacy to prepare an equitable salary schedule for employees attributed to the inspection licensed entities;

(12) Requires all nursing home administrators licenses to expire on June 30 following the year it was issued and every other year thereafter. An administrator seeking a renewal must file an application during the month of May of the year of their renewal, accompanied by a fee as provided by rule, payable to the Department of Health and Senior Services. All licenses issued or renewed during 2006 can be for either a one- or two-year term as dictated by rule;

(13) Redefines "student athlete" within the provisions regarding athletic contracts;

(14) Requires that any person applying for a license or a license renewal as a bail bond agent, a general bail bond agent, or a surety recovery agent must provide the Director of the Department of Insurance with evidence that they are a member of a statewide professional association established to represent the interests of bail bond agents, general bail bond agents, or surety recovery agents. The director will establish requirements that an association must meet prior to being recognized as a statewide professional association;

DESCRIPTION (continued)

(15) Removes the requirement that the division wait 30 days before informing a licensee that they are in violation of their licensing requirements prior to engaging in settlement negotiations and shortens the time from 60 to 30 days that the licensee has to consider the settlement offer prior to contacting the respective board to discuss the settlement offer; and

(16) Requires sonographers or vascular technologists which are Medicaid providers to be credentialed by the appropriated accrediting body specified in the proposal.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

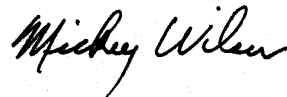
SOURCES OF INFORMATION

Office of Attorney General  
Office of the Governor  
Department of Higher Education  
Office of Administration -  
    Administrative Hearing Commission  
Office of State Courts Administrator  
Department of Economic Development -  
    Division of Professional Registration  
Department of Health and Senior Services  
Department of Revenue  
Department of Social Services  
Department of Public Safety -  
    Missouri State Highway Patrol  
Missouri Consolidated Health Care Plan  
Department of Insurance  
Office of Prosecution Services  
Office of Secretary of State  
Office of State Treasurer  
Kansas City Metropolitan Colleges  
Southern Missouri State University  
University of Missouri  
Taney County Ambulance

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SOURCES OF INFORMATION (continued)

**NOT RESPONDING: Department of Mental Health, Department of Corrections, Missouri Senate, Office of State Public Defender, Central Missouri State University, East Central College, Harris-Stowe, Lincoln University, Missouri Southern State College, Missouri Western College, Southeast Missouri State University, Truman State University, St. Charles County Ambulance District and Valle Ambulance District**



Mickey Wilson, CPA  
Director  
April 18, 2005