

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3217-01
Bill No.: HB 1028
Subject: Drugs and Controlled Substances; Health Care; Pharmacy; Physicians
Type: Original
Date: February 25, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	(Unknown exceeding \$615,313)	(Unknown exceeding \$738,376)	(Unknown exceeding \$738,376)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Economic Development - Division of Professional Registration, Department of Insurance, Missouri Department of Conservation, Department of Public Safety - Missouri State Highway Patrol and Missouri Consolidated Health Care Plan** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Missouri Department of Transportation (DOT)** state the proposal will have no fiscal impact on the MHTC/DOT or the Highway and Patrol Medical Plan.

Officials from the **Department of Health and Senior Services (DOH)** state the proposal would not be expected to fiscally impact the operations of the DOH. If a fiscal impact were to result, funds to support the program would be sought through the appropriations process.

Officials from the **Department of Social Services - Division of Medical Services (DMS)** state the proposal will have no fiscal impact on their organization. However, the proposal will impact one provider group - nurse practitioners. Currently, nurse practitioners may enroll in the Medicaid program and bill for covered services. The proposal will prohibit nurse practitioners

ASSUMPTION (continued)

from administering injections for a fee. If the nurse practitioner isn't paid for the service, it is assumed they will not provide the service. The recipient will need to seek care from a physician for the service.

Officials from the **Department of Mental Health (DMH)** state for purposes of this fiscal note, it is assumed that "injection for a fee" would not apply to injections given in the course of the provision of services by the DMH, its facilities and providers. Facilities for the DMH use licensed doctors, but also use registered nurses to give injections.

However, if this assumption is incorrect, the proposal would require the hiring of additional doctors at all DMH facilities for purposes of such injections. Facilities of the DMH use licensed doctors, but also use registered nurses to give such injections. Further, without the inclusion of registered nurses in the proposal, local providers of mental health services in Missouri would have to hire or contract for doctors' services for such injections (including the injection of insulin). Such fiscal impact is not calculable at this time, but would be estimated to be "significant."

Officials from the **University of Missouri (UM)** state the proposal appears to have an effect on its financial operations. All persons providing or administering drugs should be licensed or under the supervision of a licensed professional. However, the proposal does not allow for medical or nursing students to administer drugs while they are in a training program (they are generally not licensed yet). The UM is not able to quantify the fiscal impact of this proposal.

Officials from **Cooper County Memorial Hospital (Cooper Co.)** did not respond to our request for a statement of fiscal impact. However, in response to similar legislation, Cooper Co. stated the proposal would affect its ability to offer services, especially in the rural area. The proposal would not allow Radiology Technicians or Paramedics to give injections. Cooper Co. estimates an approximate loss of \$380,000 per year if Radiology Technicians and Paramedics are no longer able to give injections for a fee.

Officials from the **Valle Ambulance District (Valle)** did not respond to our request for a statement of fiscal impact. However, in response to similar legislation, Valle stated the proposal affects Paramedics in Missouri in that it only allows individuals licensed by the Board of Nursing or the Board of Healing Arts to inject medications. Unless it refers to Paramedics currently licensed by the Bureau of Emergency Medical Services, Department of Health and Senior Services by authority of RSMo 190, Valle will no longer be able to inject medications since ambulance services in Missouri take payment for those services. Also, paramedics in hospitals would no longer be able to inject medications. Valle estimates losses associated with this proposal to be well over \$100,000 annually.

ASSUMPTION (continued)

Officials from the **St. Charles County Ambulance (St. Charles)** did not respond to our request for a statement of fiscal impact. However, in response to similar legislation, St. Charles stated the proposal would result in an increase in pre-hospital care. A minimal increase of 10% to place one (1) nurse per ambulance would cost taxpayers approximately \$258,376 for FY 04.

Officials from the **Pemiscot Memorial Hospital, Eureka Fire Protection District, Mehville Fire District, and Taney County Ambulance District** did not respond to our request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
HOSPITALS, FIRE PROTECTION DISTRICTS AND AMBULANCE DISTRICTS			
<u>Loss - Hospitals, Fire Protection Districts and Ambulance Districts</u>			
Reduction in revenue collected for injections	(Unknown exceeding \$615,313)	(Unknown exceeding \$738,376)	(Unknown exceeding \$738,376)
ESTIMATED NET EFFECT ON HOSPITALS, FIRE PROTECTION DISTRICTS AND AMBULANCE DISTRICTS	(Unknown exceeding \$615,313)	(Unknown exceeding \$738,376)	(Unknown exceeding \$738,376)

FISCAL IMPACT - Small Business

This proposal would be expected to impact small business physicians offices and other small businesses that rely on individuals other than physicians to administer injections.

DESCRIPTION

This proposal contains provisions pertaining to the administration of a drug or medication by injection. In its main provisions, the proposal:

- (1) Prohibits any person from administering a drug or medication to a patient by injection for a fee unless that person is licensed by the State Board of Registration for the Healing Arts; and
- (2) Requires the administration of a drug or medication by injection to be within the scope of practice of that person.

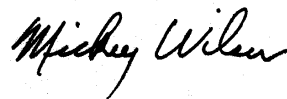
The proposal does not prohibit the self-administration of a drug or medication by injection or the administration of a drug or medication by injection with consent of a patient or individual in the patient's home by a family member, friend, or other persons. Other persons who administer these injections are not required to be licensed by the board and are prohibited from receiving financial remuneration.

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

Department of Economic Development -
 Division of Professional Registration
Department of Mental Health
Department of Health and Senior Services
Department of Social Services
Missouri Department of Transportation
Department of Public Safety -
 Missouri State Highway Patrol
Missouri Consolidated Health Care Plan
Department of Insurance
Missouri Department of Conservation
University of Missouri

**NOT RESPONDING: Cooper County Memorial Hospital, Pemiscot Memorial Hospital,
Eureka Fire Protection District, Mehville Fire District, St. Charles County Ambulance,
Taney County Ambulance District and Valle Ambulance District**



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Director
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