

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3909-04
Bill No.: HCS for HB 1246
Subject: Chiropractors: Economic Development Dept; Licenses - Professional
Type: Original
Date: March 12, 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
Chiropractic Board	\$2,500	\$75	\$77
Total Estimated Net Effect on Other State Funds	\$2,500	\$75	\$77

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 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	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Economic Development - Division of Professional Registration (DPR)**, stated this proposal would allow the State Board of Chiropractic Examiners Board (Board) to issue a certification in a specialty. DPR estimates that 100 individuals will apply for specialty certification and that a one-time \$25 application fee would be charged with a 3% growth rate anticipated. DPR assumes all costs can be covered by the Board's current appropriation.

Officials from the **Office of State Courts Administrator** stated this proposal would have no fiscal impact on the Courts.

Officials from the **Office of Administration - Administrative Hearing Commission** anticipate this legislation will not significantly alter its caseload, therefore there is no fiscal impact on their agency.

Officials from the **Department of Conservation** and the **Department of Transportation** stated this proposal will have no fiscal impact on their health plans.

Officials from **Missouri Consolidated Health Care Plan** stated this proposal will have no fiscal impact on the plan.

ASSUMPTION (continued)

Officials from the **Secretary of State's Office (SOS)** assumed the rules, regulations and forms issued by the Department of Economic Development could require as many as 4 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the Code because cost statements, fiscal notes and the like are not repeated in the Code. These costs are estimated. 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 costs could be more or less the SOS's estimated cost of \$246 for FY 2005. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules, filed, amended, rescinded or withdrawn.

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.

This proposal will increase total state revenue.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
CHIROPRACTIC BOARD FUND			
Income - Certification application fees	\$2,500	\$75	\$77
NET IMPACT ON CHIROPRACTIC BOARD FUND	<u>\$2,500</u>	<u>\$75</u>	<u>\$77</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small chiropractic practices could incur additional expenses due to record keeping requirements and specialty certification application fees outlined in this proposal.

DESCRIPTION

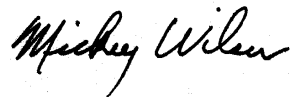
This proposal contains the following provisions pertaining to the practice of chiropractic:

- (1) Allows for the practice of chiropractic across state lines. Chiropractors licensed in other states are not required to obtain a Missouri license to practice chiropractic while in consultation with a chiropractor licensed to practice in this state as a result of the transmission of patient data through electronic or other means. The chiropractor licensed in this state retains ultimate authority and responsibility for the diagnosis and treatment of the patient;
- (2) Removes the equivalent reciprocal licensing requirements which must be met prior to allowing licensees from other states to be eligible for licensure in Missouri without examination;
- (3) Requires licensed chiropractors to make application with the State Board of Chiropractic Examiners for certification to practice meridian therapy/acupressure/acupuncture. The board is authorized to establish minimum requirements for the specialty certification;
- (4) Establishes provisions for inactive licenses and authorizes the board to create the requirements necessary to gain inactive status. Persons having discontinued their licenses because of retirement will be allowed to practice on themselves and their immediate family. Persons holding inactive licenses are not required to comply with continuing education requirements; and
- (5) Creates record keeping requirements. Licensees are required to maintain patient records for a minimum of seven years. All additions, corrections, and changes to any records must be made within 48 hours after the final entry made into the record and signed by the chiropractor. The board cannot initiate disciplinary action against a licensee solely on the basis of inadequate record keeping.

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
Office of Secretary of State
 Administrative Rules Division
Office of Administration
 Administrative Hearing Commission
Office of State Courts Administrator
Department of Conservation
Missouri Consolidated Health Care Plan
Department of Transportation



Mickey Wilson, CPA
Director
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