

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3944-02
Bill No.: HCS for HB 1195
Subject: Disabilities; Economic Development Dept.; Licenses - Professional
Type: Original
Date: March 26, 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 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 7 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, Department of Labor and Industrial Relations, Office of State Treasurer, St. Louis Public Schools** and **Nixa Public Schools** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Department of Elementary and Secondary Education (DES)** provide the following information and assumptions regarding this proposal:

The Missouri Commission for the Deaf and Heard of Hearing enacted a new rule that created a “Provisional Restricted Certification in Education” (PRCED) {5 CSR 100-200.045}. Since enacting this rule, 26 PRCED certifications have been given out at a cost of \$10 each. However, the rule stipulates that these certifications can only be given to persons who already have a Missouri Interpreters Certification System (MICS) certification. These individuals have already paid a minimum of \$160 each to test in the MICS. Therefore, these 26 individuals have paid into the MICS a total \$4,420 in the current year. If the proposal is passed, DES assumes that the recipients of the “provisional public school certificate” will not already be certified in the MICS. Thus, if they pay the same fee as the recipient of a PRCED (\$10), MICS will receive a total of \$260 (\$10 X 26 PRCED certified individuals). **This would be a loss of income to the MICS of a minimum \$4,160 (\$4,420 - \$260).**

ASSUMPTION (continued)

If the 26 individuals who currently hold a PRCEd under the terms of the rule currently in place want to extend those certifications for another year, they must take the performance test again and move up one level. The performance test fee is \$125, and would provide \$3,250 to the MISC each year. If the proposal is passed, these 26 individuals could extend their certificates by one year for a total cost of \$260 (\$10 X 26 individuals). **This would be an additional loss of income to the MICS of \$2,990 (\$3,250 - \$260).**

In the current year, there are a total of 170 interpreters listed with the DES as working in Missouri schools. If the proposal passes, the DES assumes that at least half of the interpreters working in Missouri schools next year would do so with a "provisional public certification issued by the Missouri Commission for the Deaf and Hard of Hearing (MCDHH) or 85 individuals (170 X 50%). As 26 individuals have been considered in above calculations, additional funds would be lost on the remaining 59 (85 interpreters - 26 previously considered interpreters). Under 5 CSR 100-200.045, those individuals would be paying into the MICS a minimum of \$9,440 (\$160 X 59). Under the current proposal, they would be paying \$590 (50 X \$10). **This would result in a loss to the MICS of \$8,850 (\$9,440 - \$590).**

The DES states the proposal would allow public schools to hire anyone they wanted to provide interpreting services, regardless of the adequacy of the skills of that person. Given the legal mandates of the federal Individuals with Disabilities Education Act (IDEA), it is certain that public school districts will hire some persons to provide interpreter services to very young children who could not pass the MICS test at the lowest skill level. This will result in lost tax revenue, health costs, Medicaid, and so forth.

The DES estimates a loss of \$4,160 to the MICS fund for FY 05; a loss of \$11,840 to the MICS fund for FY 06; and an unknown loss to the MICS fund for FY 07. The DES also estimates an unknown loss to General Revenue for FYs 05, 06 and 07 due to costs spread over the life of a child who has not received appropriate early intervention for hearing loss in terms of health costs, Medicaid, etc.

Oversight assumes the DES could absorb the minimal losses anticipated to the MICS fund. **Oversight** notes that potential losses to the General Revenue Fund would be spread over the school lifetime of students and would, primarily, be outside the period of this fiscal note. Any unknown costs resulting to the General Revenue Fund during the period of this fiscal note would probably be minimal.

ASSUMPTION (continued)

Officials from the **Office of Secretary of State (SOS)** state the proposal changes provisions for the State Committee of Interpreters and the Office of Tattooing, Body Piercing and Branding to extend license privileges for special events only. The Department of Economic Development, State Committee of Interpreters and the Office of Tattooing, Body Piercing and Branding may promulgate rules to enact this proposal. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Economic Development could require as many as 16 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 cost statements, fiscal notes and notices are not published in the Code. The estimated cost of a page in the *Missouri Register* is \$23.00. The estimated cost of a page in the *Code of State Regulations* is \$27.00. The actual costs could be more or less than the numbers given. The fiscal 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 this legislation to be \$984 [(16 pp x \$27) + (24 pp x \$23)].

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 **Columbia Public Schools, Kansas City Public School Board, Mexico Public Schools** and **Sedalia Public Schools** 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
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal contains provisions regarding deaf interpreters, tattooists, speech pathology assistants, fund accounts, and the licensing of foreign applicants.

DEAF INTERPRETERS

The proposal allows persons enrolled in accredited interpreter training programs to be exempt from licensure if they are only engaged in activities which constitute part of their course of study.

The proposal also allows certified deaf interpreters from other states to practice without a license for the purpose of providing temporary services at special events.

The proposal gives the Division of Professional Registration the authority to deny license renewal of deaf interpreters for failure to provide satisfactory evidence of current certification with the Missouri Commission for the Deaf and Hard of Hearing.

The proposal authorizes the commission to issue provisional certification as an interpreter to a person nominated by a school district if the district certifies that it is unable to locate and employ a certified licensed deaf interpreter.

TATTOOISTS

The proposal authorizes the division to issue temporary licenses for persons entering the state for the sole purpose of participating in a state or national convention where the applicant will be practicing the profession of tattooing, body piercing, and branding. The temporary license will be valid for 14 days.

SPEECH PATHOLOGY ASSISTANTS

The proposal repeals provisions regarding certain licensing requirements of speech pathology assistants.

FUND ACCOUNTS

The proposal requires money in the Athletic Fund, the Marital and Family Therapists Fund, the State Committee of Psychologists Fund, the Committee of Professional Counselors Fund, and the

DESCRIPTION (continued)

Hearing Instrument Specialist Fund be three times the preceding year's appropriation prior to being placed in the General Revenue Fund.

LICENSURE OF FOREIGN APPLICANTS

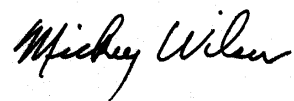
The proposal requires persons from foreign countries when making application for a license or temporary permit to practice within any of the professions regulated by the division to provide their visa and/or passport identification number in lieu of a social security number.

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 Elementary and Secondary Education
Department of Labor and Industrial Relations
Office of Secretary of State
Office of State Treasurer
Nixa Public Schools
Parkway Public Schools
St. Louis Public Schools

NOT RESPONDING: Columbia Public Schools, Kansas City Public School Board, Mexico Public Schools and Sedalia School District



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