

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4594-01  
Bill No.: HB 1619  
Subject: Consumer Protection; Disabilities; Health Care; Health Care Professionals  
Type: Original  
Date: March 26, 2004

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**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>                   |                |                |                |
|---|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>  | <b>FY 2005</b> | <b>FY 2006</b> | <b>FY 2007</b> |
|   |                |                |                |
|   |                |                |                |
| <b>Total Estimated<br/>Net Effect on<br/>General Revenue<br/>Fund</b> | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

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

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

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

| ESTIMATED NET EFFECT ON LOCAL FUNDS |            |            |            |
|-------------------------------------|------------|------------|------------|
| FUND AFFECTED                       | FY 2005    | FY 2006    | FY 2007    |
| <b>Local Government</b>             | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

### FISCAL ANALYSIS

#### ASSUMPTION

Officials from the **Department of Economic Development-Division of Professional Registration**, the **Department of Social Services**, and the **Department of Labor and Industrial Relations** assume this proposal would not fiscally impact their agencies.

Officials from the **Department of Health and Senior Services (DOH)** state the impact to the Special Health Care Needs (SHCN) program would be minimal. At this time, Durable Medical Equipment (DME) providers are not required to be licensed/certified, therefore, there is no staff time involved in checking, entering information, and retaining a copy of the license. DOH states if this proposal were to pass, .05 FTE would be involved in these activities resulting in more staff time to accomplish these tasks. At this time, SHCN has 115 DME providers enrolled resulting in an estimated increase of 2 ½ weeks per year devoted to assuring that these providers are licensed and current with their certification to participate in Special Health Care Needs programs.

The DOH states it is not designated to enforce the legislation, therefore no costs are included for enforcement purposes. The DOH states fiscal impact would be \$1,867 in FY 05, \$2,296 in FY 06 and \$2,353 in FY 07. **Oversight** assumes the DOH could absorb the costs of a .05 FTE.

| <u>FISCAL IMPACT - State Government</u> | FY 2005    | FY 2006    | FY 2007    |
|---|------------|------------|------------|
|   | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| <u>FISCAL IMPACT - Local Government</u> | FY 2005    | 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 establishes the Consumer Protection Act for Wheeled Mobility. The proposal:

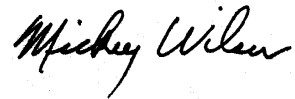
- (1) Creates definitions regarding prescribed wheeled mobility systems professionals and providers;
- (2) Requires any person wishing to obtain a wheeled mobility system to have a medical evaluation and a prescription from an appropriate licensed physician;
- (3) Requires all home care organizations providing this technology to have a physical location, working telephone, and qualified rehabilitation professional on staff;
- (4) Directs rehabilitation professionals to perform face-to-face technology assessments with the consumer based on the evaluation provided by the physician; and
- (5) Requires as of July 1, 2008, all qualified rehabilitation professional be certified by the Rehabilitation Engineering and Assistive Technology Society of North America.

The proposal will become effective July 1, 2005.

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 Labor and Industrial Relations  
Department of Health and Senior Services  
Department of Social Services

A handwritten signature in black ink, reading "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Director  
March 26, 2004