

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0923H.01A
 Bill No.: HB 476 with SA 1, SA 2, SA 3, SA 4, SA 5, SA 6 and SA 8
 Subject: Professional Registration and Licensing; Licenses - Miscellaneous; Military Affairs
 Type: Original
 Date: April 23, 2021

Bill Summary: This proposal modifies provisions relating to professional registration.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2025)
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2025)
Agriculture Protection Fund	\$0	\$0	\$57,875	\$160,810
Board of Pharmacy (0637)	(Less than \$300,000)	(Less than \$300,000)	(Less than \$300,000)	(Less than \$300,000)
Colleges and Universities	\$0	\$0	\$200,000	\$400,000
Total Estimated Net Effect on <u>Other State Funds</u>	\$0	\$0	(Less than \$42,125)	\$260,810

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2025)
Total Estimated Net Effect on All Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2025)
Agriculture Protection Fund (MDA)	0 FTE	0 FTE	1 FTE	1 FTE
Total Estimated Net Effect on FTE	0 FTE	0 FTE	1 FTE	1 FTE

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2025)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Senate Amendment 1 –

Section 339.150 - Licensed Real Estate and Salesperson and Broker-Salespersons Payment

In response to a similar proposal from this year (SB 435), officials from the **Department of Commerce and Insurance** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this provision.

Senate Amendment 2-

Section 339.100 – Real Estate Licensees Discipline

In response to a similar proposal from this year (SB 473), officials from the **Office of Administration - Administrative Hearing Commission** anticipated that this legislation will not significantly alter its caseload. If similar bills pass, resulting in more cases, there will be a fiscal impact. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

In response to a similar proposal from this year (SB 473), officials from the **Department of Commerce and Insurance** and the **Office of the State Courts Administrator** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies for this provision.

Senate Amendment 3

Section 337.068 – Prisoner Complaints against a Psychologist's License

In response to a similar proposal from this year (SB 9), officials from the **Department of Commerce and Insurance**, the **Department of Corrections**, the **Department of Health and Senior Services**, the **Department of Social Services** and the **Department of Mental Health** each assumed the proposal will have no fiscal impact on their respective organizations.

Oversight notes that the above mentioned agencies have stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for this provision.

Section 338.710 – RX Cares for Missouri Program

In response to a similar proposal from this year (SB 519), officials from the **Department of Commerce and Insurance (DCI)** assumed the proposal will have no fiscal impact on their organization.

Oversight notes this legislation (similar to SB 519) modifies the expiration date of the RX Cares for Missouri Program from August 28, 2019, to August 28, 2026. DCI indicated this program is still operational and planned expenditures for FY '21 are estimated at \$300,000. (Current expenditures as of 11/30/20 are \$52,290). Listed below are past expenditures for this program.

1. FY 2019 - \$174,198.23 (media services)
2. FY 2020 - \$220,385.71 (medication collection/destruction)
3. FY 2021 - \$ 52,290.00 (medication collection/destruction) as of 11/30/2020 (The Board has not received any invoices after 11/30/2020)

For fiscal note purposes, Oversight will reflect an annual cost to the Board of Pharmacy Fund (0637) (cost of continuance of this program) of less than \$300,000.

Senate Amendment 4 –

Section 324.012 - Background Check Procedures

In response to a similar proposal from this year (SB 308), officials from the **Department of Commerce and Insurance**, the **Office of Administration - Administrative Hearing Commission**, the **Department of Health and Senior Services**, the **Department of Natural Resources**, the **Department of Public Safety - Missouri Highway Patrol**, the **Department of Social Services**, the **Missouri Department of Agriculture** and the **Missouri Department of Transportation** each assumed the proposal will have no fiscal impact on their respective organizations.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies for this provision.

Senate Amendment 5 –

Sections 281.015 - 281.101 - Pesticide Certificate and Training

In response to a similar proposal from this year (SB 491), officials from the **Missouri Department of Agriculture (MDA)** assumed the following regarding this proposal:

§281.048

Will require an estimated \$20,000 to add Noncertified Restricted Use Pesticide (NRUP) license classification to computer system, MOPlants, and the addition of one FTE (Senior Office Support Asst.) = \$31,090 salary and corresponding office equipment = \$2,743.

§281.035

Commercial agriculture, right-of-way, golf courses, fumigation, and other types will have an estimated 5,236 new persons licensed as NRUP X \$35 = \$183,260 annually.

§281.037

Non-commercial agriculture, right-of-way, golf courses, fumigation, and other types will have an estimated 919 new persons licensed as NRUP X \$35 = \$32,165 annually.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the MDA. Oversight notes the effective date of this proposal is January 1, 2024; therefore, Oversight will not reflect any costs or revenue until FY 2024 (six months) and fully implemented in FY 2025.

In response to a similar proposal from this year (SB 491), officials from the **Attorney General's Office, Department of Natural Resources** and **Office of the State Courts Administrator** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to a similar proposal from this year (SB 491), officials from the **University of Missouri (UM)** assumed this proposal would allow University of Missouri Extension to charge a \$75 Pesticide Registration fee for their Private Pesticide Applicator Training Program, which they currently provide for free. These fees would create an additional \$400,000 in revenue. The revenue generated by these fees would be used to cover the costs of the program. The University currently covers 100% of costs incurred by the program, and Missouri Extension estimates that this fee will cover 46% of the program costs, allowing the University to cover 54%.

Oversight does not have information to the contrary and therefore, Oversight will reflect the savings as provided by the UM.

In response to a similar proposal from this year (SB 491), officials from the **City of Corder, City of Kansas City, City of O'Fallon, City of Springfield** and **City of St. Louis** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to a similar proposal from 2021 (HB 1125), officials from the **City of Claycomo** and **City of Hughesville** each assumed the proposal would have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other cities were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

Senate Amendment 6 -

Section 338.010 - HIV Preexposure and Postexposure Prophylaxis

In response to a similar proposal from this year (SB 79), officials from the **Department of Commerce and Insurance**, the **Missouri Consolidated Health Care Plan**, the **Department of Transportation**, the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri Department of Conservation**, the **Office of Administration**, the **Department of Social Services** and the **Department of Health and Senior Services** each assumed the proposal will have no fiscal impact on their respective organizations.

Oversight notes that the above mentioned agencies have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for this provision.

Senate Amendment 8

Section 324.087 - Occupational Therapy Licensure Compact

In response to a similar proposal from this year (SB 330), officials from the **Department of Commerce and Insurance (DCI)** stated that the compact will be effective when it is enacted into law in the tenth member state. It is uncertain if the compact would be enacted in FY22, FY23 or FY24. Once the compact is enacted DCI would have the following fiscal impact: \$3,000 to \$6,000 estimated annual fee to participate in the compact.

Oversight assumes DCI is provided with core funding to handle a certain amount of activity each year. Oversight assumes DCI could absorb the costs related to this proposal and assumes the annual fee is not material. If multiple bills pass which require additional staffing and duties at substantial costs, DCI could request funding through the appropriation process.

In response to a similar proposal from this year (SB 330), officials from the **Office of Administration - Administrative Hearing Commission** anticipated that this legislation will not significantly alter its caseload. If similar bills pass, resulting in more cases, there will be a fiscal impact. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

In response to a similar proposal from this year (Sb 330), officials from the **Attorney General's Office**, the **Department of Public Safety - Missouri National Guard**, the **Missouri House of**

Representatives and the **Missouri Senate** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Sections 324.200 – 324.206 Dietitian Practice Act

In response to a similar proposal from this year (SCS for SB 232), officials from the **Department of Commerce and Insurance** assumed the proposal will have no fiscal impact on their organization.

In response to a similar proposal from this year (SCS for SB 232), officials from the **Office of Administration - Administrative Hearing Commission** anticipated that this legislation will not significantly alter its caseload. If similar bills pass, resulting in more cases, there could be a fiscal impact.

Oversight notes that the above mentioned agencies have stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for this provision.

Sections 327.011 – 327.612 – Architects, Engineers and Landscape Architects Licensure

In response to a similar proposal from this year (SB 257), officials from the **Department of Commerce and Insurance** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency for this provision.

<u>FISCAL IMPACT – State Government</u> (continued)	FY 2022	FY 2023	FY 2024 (6 mos.)	Fully Implemented (FY 2025)
BOARD OF PHARMACY FUND (0637)				
Cost – DCI - SA 3 Renewed sunset date from 2019 to 2026 for the RX Cares for Missouri Program p. 4	<u>(Less than \$300,000)</u>	<u>(Less than \$300,000)</u>	<u>(Less than \$300,000)</u>	<u>(Less than \$300,000)</u>
ESTIMATED NET EFFECT TO THE BOARD OF PHARMACY FUND (0637)	<u>(Less than \$300,000)</u>	<u>(Less than \$300,000)</u>	<u>(Less than \$300,000)</u>	<u>(Less than \$300,000)</u>
UNIVERSITY OF MISSOURI				
<u>Savings</u> – UM – revenue from fees for pesticide training §281.040 SA 5 p. 5	<u>\$0</u>	<u>\$0</u>	<u>\$200,000</u>	<u>\$400,000</u>
ESTIMATED NET EFFECT ON THE UNIVERSITY OF MISSOURI	<u>\$0</u>	<u>\$0</u>	<u>\$200,000</u>	<u>\$400,000</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022	FY 2023	FY 2024 (6 mos.)	Fully Implemented (FY 2025)
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

Small pesticide applicator businesses could be impacted as a result of this proposal.

A small business entity that receives compensation from a real estate broker as provided for in this legislation may be fiscally impacted.

Authorized discipline against real estate licensees could cause a direct fiscal impact to any licensed or previously licensed real estate broker, salesperson, broker-salesperson, appraiser, or appraisal manager as a result of this proposal.

Small businesses may be impacted with the modification of criminal background check procedures for certain professional licensing authorities.

Small business pharmacists could be impacted by this proposal.

Small business occupational therapist and occupational therapy assistants would now be eligible to practice in other member states and could be fiscally impacted as a result of this proposal.

A fiscal impact to small business architects, engineers and landscape architects could be expected as a result of this proposal.

Certain small medical businesses that utilize collaborative practice agreements could be impacted by this proposal as the proposal repeals geographic proximity requirements.

FISCAL DESCRIPTION

This bill modifies provisions relating to professional registration.

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 Commerce and Insurance
Office of Administration - Administrative Hearing Commission
Office of the State Courts Administrator
Department of Health and Senior Services
Department of Revenue
Department of Public Safety
 Missouri Gaming Commission
Department of Public Safety
 Missouri National Guard

L.R. No. 0923H.01A

Bill No. HB 476 with SA 1, SA 2, SA 3, SA 4, SA 5, SA 6 and SA 8

Page **11** of **11**

April 23, 2021

Missouri Highway Patrol
Department of Social Services
Missouri Department of Transportation
Department of Corrections
Office of Administration
Office of the Secretary of State
Joint Committee on Administrative Rules
Missouri Office of Prosecution Services
Office of the State Courts Administrator
Department of Mental Health
Missouri Department of Agriculture
Department of Natural Resources
Attorney General's Office
Missouri Department of Conservation
City of Corder
City of Hughesville
City of Kansas City
City of O'Fallon
City of Springfield
City of St. Louis
University of Missouri



Julie Morff
Director
April 23, 2021



Ross Strobe
Assistant Director
April 23, 2021