

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3976H.011  
 Bill No.: HB 1723  
 Subject: Department of Commerce and Insurance; Insurance - Health  
 Type: Original  
 Date: March 10, 2024

Bill Summary: This proposal creates provisions relating to dialectical behavior therapy.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
State Road Fund (0320)*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Conservation Commission Fund*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

\*Oversight assumes the cost to the state could reach the \$250,000 threshold.  
 Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Local Government</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### Sections 337.800, 337.801 & 376.1553 – Dialectical Behavior Therapy

Officials from the **Department of Commerce and Insurance (DCI)** state they believe the costs of this bill can be absorbed within current appropriations. However, should the cost be more than anticipated, DCI would request an increase to FTE and/or appropriations, as appropriate, through the budget process. Section 376.1553: No fiscal impact to DCI.

Officials from the **Missouri Department of Transportation (MoDOT)** state this bill would require MoDOT-MSHP medical plan to provide a specific health benefit that is not covered by plan. This would have an unknown negative impact.

**Oversight** notes that MoDOT has stated the proposal would have a negative unknown fiscal impact. Oversight assumes requiring health benefit plans to provide coverage for dialectical behavioral services could increase health insurance costs for other insurance plans (as well as MoDOT) such as the Missouri Department of Conservation and local political subdivisions. Oversight will reflect a \$0 or Unknown cost to the State Road Fund, Conservation Commission Fund and Local Political Subdivisions.

Officials from the **Missouri State Senate** anticipate a negative fiscal impact to reimburse 2 Senators for travel to Dialectical Behavior Therapy Task Force meetings. In summary it will cost approximately \$670.72 for two Senators to travel to two meetings.

**Oversight** assumes the Missouri Senate is provided with core funding to handle a certain amount of activity each year. Oversight assumes Missouri Senate could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, Missouri Senate could request funding through the appropriation process.

Officials from the **Department of Mental Health**, the **Department of Social Services**, the **Missouri Department of Conservation**, the **Missouri Consolidated Health Care Plan** and the **Missouri House of Representatives** each assume 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.

Officials from the **Department of Public Safety - Missouri Highway Patrol** defer to the Missouri Department of Transportation for the potential fiscal impact of this proposal.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
<b>STATE ROAD FUND (0320)</b>			
<u>Cost – MoDOT §337.800, 337.801 &amp; 376.1553 p.3</u> Dialectical Behavior Therapy	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT TO THE STATE ROAD FUND (0320)</b>	<b><u>\$0 or</u></b> <b><u>(Unknown)</u></b>	<b><u>\$0 or</u></b> <b><u>(Unknown)</u></b>	<b><u>\$0 or</u></b> <b><u>(Unknown)</u></b>
<b>CONSERVATION COMMISSION FUND (0609)</b>			
<u>Cost – MDC §337.800, 337.801 &amp; 376.1553 p.3</u> Dialectical Behavior Therapy	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT TO THE CONSERVATION COMMISSION FUND (0609)</b>	<b><u>\$0 or</u></b> <b><u>(Unknown)</u></b>	<b><u>\$0 or</u></b> <b><u>(Unknown)</u></b>	<b><u>\$0 or</u></b> <b><u>(Unknown)</u></b>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
Cost - Local Political Subdivisions §337.800, 337.801 & 376.1553 p.3	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

FISCAL IMPACT – Small Business

A direct fiscal impact to small business medical services and equipment providers could be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill establishes the "Dialectical Behavior Therapy Task Force", with membership as described in the bill, which includes but is not limited to two members of the House of Representatives, with one being appointed by the Speaker and one appointed by the Minority Floor Leader, and two members of the Senate, with one being appointed by the President Pro Tem and one appointed by the Minority Floor Leader of the Senate. The Task Force shall hold its first meeting no later than October 31, 2024, at which time it shall determine the focus and schedule of additional meetings.

The Task Force shall compile a report of its activities, which shall include specific recommendations for standards and procedures for certifications in dialectical behavior therapy. The report shall be provided to the General Assembly, the Governor, and the Director of the Department of Commerce and Insurance no later than October 31, 2025, at which time the Task Force shall expire. The Department of Commerce and Insurance shall promulgate rules for standards and procedures for certifications in dialectical behavior therapy. Proposed rules shall incorporate the recommendations of the Task Force.

This bill requires health benefit plans to provide coverage for dialectical behavioral services. Dialectical behavioral therapy services include one weekly 60 minute therapy session, telephone coaching provided by a patient's therapist, structuring of a patient's environment, weekly consultations with a team of multiple therapy providers, and weekly skills training sessions with a total duration of 120 minutes.

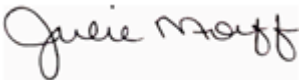
This bill prohibits a person or entity from claiming to perform or offering to perform dialectical behavior therapy unless certified by the Dialectical Behavior Therapy Linehan Board of Certification or any other entity approved by the Department of Commerce and Insurance to

certify providers of dialectical behavior therapy. A person or entity can be fined up to \$500 if they claim to perform or offer to perform dialectical behavior therapy without being certified.

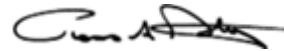
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Commerce and Insurance  
Department of Mental Health  
Department of Public Safety - Missouri Highway Patrol  
Department of Social Services  
Missouri Department of Conservation  
Missouri Department of Transportation  
Office of the Secretary of State  
Joint Committee on Administrative Rules  
Missouri Senate  
Missouri House of Representatives  
Missouri Consolidated Health Care Plan



Julie Morff  
Director  
March 10, 2024



Ross Strope  
Assistant Director  
March 10, 2024