

sCOMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1509H.01P
Bill No.: Perfected HB 478
Subject: Professional Registration and Licensing; Licenses - Miscellaneous
Type: Original
Date: April 1, 2025

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

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on FTE	0	0	0

- 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 2026	FY 2027	FY 2028
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Section 324.004.1 – Professional Licensing

In response a previous version, officials from the **Department of Health and Senior Services (DHSS)** noted that this legislation states “Any person who has at least three years of work experience in an occupation or profession in another state, the District of Columbia, or any combination of such jurisdictions, and whose work experience involved the practice of an occupation or profession for which a license is not required in the jurisdiction or jurisdictions in which the person worked but is required in this state, may submit an application for a one-time nonrenewable two-year temporary license in this state in the occupation or profession, along with proof of at least three years of work experience in the occupation or profession and a fee as set by regulation of the oversight body, to the relevant oversight body in this state. The oversight body shall make a determination of qualification within forty-five days of receiving a completed application. As used in this section, "oversight body" shall mean any board, department, agency, or office of a jurisdiction that issues occupational or professional licenses.”

The Board of Nursing Home Administrators (BNHA) currently has a temporary license process outlined in Chapter 344, RSMo and 19 CSR 73-2.080. Passage of this bill would require revisions to the statute and rules. It is assumed it will take BNHA’s Principal Assistant Board/Commission (salary of \$64,230) approximately 1,040 hours to make the required changes. Based on 2,080 working hours per year, this would require 0.5 FTE to assume these duties (1,040 hours divided 2,080 hours per year) for a total personal service cost of \$32,115 (\$64,230 times 0.50 FTE).

If the department, during rule making, would establish a fee for the temporary licenses as described in the proposed legislation, the revenues from those fees would be deposited into general revenue. Additionally, since it is up to the person to apply for temporary license and it is not required, it is unknown the possible applicants for this type of temporary license and the amount of fees collected.

It is assumed that the Department can absorb the costs of this bill with current resources. However, if the workload significantly increased or other legislation was enacted, additional resources would be requested through the appropriation process.

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

Officials from the **Department of Revenue (DOR)** assume this legislation pertains to occupational licenses. Dealer licenses issued by DOR will not be impacted under this assumption.

In response to a previous version, officials from the **Office of Administration - Administrative Hearing Commission**, the **Department of Commerce and Insurance**, the **Department of Natural Resources**, the **Department of Public Safety - Missouri Highway Patrol** and **Missouri Gaming Commission**, the **Department of Social Services**, the **Missouri Department of Agriculture**, the **Missouri Department of Transportation** and **Kansas City** 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.

Rule Promulgation

In response to a previous version, officials from the **Joint Committee on Administrative Rules** assumed this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

In response to a previous version, officials from the **Office of the Secretary of State (SOS)** noted 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.

House Amendment 1 – Funeral Related Services

In response to a similar proposal from this year (HB 834), 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.

Oversight notes the balance of the Board of Embalmers & Funeral Directors fund (0633) balance at the end of December 2024 was \$3,053,393.21.

House Amendment 2 – Message Therapist and Chiropractors Emergency Suspensions

In response to a similar proposal from this year (HB 58), officials from the **Department of Commerce and Insurance (DCI)** believed the costs of this bill can be absorbed within current appropriations. However, should the cost be more than anticipated, the department would request an increase to our FTE and/or appropriations as appropriate through the budget process.

In response to a similar proposal from this year (HB 58), officials from the **Office of Administration - Administrative Hearing Commission** 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.

House Amendment 3 – Agent of a Payor

Oversight assumes House Amendment 3 will have no fiscal impact on state or local government.

House Amendment 4 – Master’s of Social Work Degree Programs

In response to a similar proposal from this year (HB 268), officials from the **Department of Commerce and Insurance (DCI)** stated costs are unknown at this time. The Committee for Social Workers is not aware of the number of pending accreditation programs in Missouri. Depending upon enrollment numbers, the Committee may need to hire additional staff. The committee may request additional FTE funding through the budget process.

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. If multiple bills pass which require additional staffing and duties at substantial costs, DCI could request funding through the appropriation process. Therefore, Oversight will reflect a zero impact in the fiscal note.

In response to a similar proposal from this year (HB 268), officials from the **Department of Social Services** 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.

House Amendment 1 to House Amendment 4

In response to a similar proposal from this year (HB 766), officials from the **Department of Health and Senior Services (DHSS)** assumed the proposed legislation repeals Section 324.010, which provides that professional licenses shall be suspended for failure to pay state taxes or file state income tax returns. Per the current statute, all governmental entities issuing professional licenses, certifications, registrations, or permits, pursuant to sections 209.319 to 209.339, sections 214.270 to 214.516, sections 256.010 to 256.453, section 375.014, sections 436.005 to 436.071, and chapter 317 and chapters 324 to 346, must provide the Department of Revenue with the name and social security number of licensees for verification of tax compliance.

Currently, Section 324.010 requires the Board of Nursing Home Administrators (BNHA) to provide a monthly report of licensees to the Department of Revenue for verification of tax compliance. In the event a licensee is identified as delinquent on any state taxes or has failed to file state income tax returns, the BNHA must notify the licensee of the need to rectify the issue in order to ensure his/her license is not suspended.

Should the proposed legislation become effective, the BNHA would no longer have to perform the duties currently required by Section 324.010.

Oversight assumes that if this legislation becomes effective, DHSS could have a small savings by not having to perform the duties currently required. Oversight assumes the savings would be immaterial and will not reflect them in the fiscal note.

In response to a similar proposal from this year (HB 766), officials from the **Department of Revenue (DOR)** stated currently, if a person holds a professional license that requires registration with the Division of Professional Registration, they must be current in filing all taxes with the State. They must show they have a “No Tax Due” statement from the DOR indicating they are current in all tax filings. Failure to produce such a notice can result in their professional license being suspended.

DOR notes that since the department’s individual income tax filing system went live in 2018, DOR has notified the Division of Professional Registration about 527 taxpayers. Additionally, the last year that the Division of Professional Registration asked for the list of non-filers was in January 2021 and that list contained 51 names. The Division of Professional Registration has requested DOR cease sending them these files.

DOR assumes this proposal would result in minimal amount of time saved by staff from not running the list and answering questions from taxpayers about it. DOR does not estimate any impact to state revenue as DOR will continue to collect any tax owed through other methods.

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

In response to a similar proposal from this year (HB 766), officials from the **Department of Commerce and Insurance**, the **Department of Economic Development**, the **Office of Administration** and the **Office of the State Auditor** 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 (HB 766), officials from the **Office of Administration - Budget and Planning** deferred to the Department of Revenue for the potential fiscal impact of this proposal.

House Amendment 5 – Pharmacist Authority to dispense insulin

In response to a similar proposal from this year (HB 1188), officials from the **Department of Commerce and Insurance** and the **Department of Health and Senior Services** 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.

Rule Promulgation

In response to a similar proposal from this year (HB 1188), officials from the **Joint Committee on Administrative Rules** assumed this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

In response to a similar proposal from this year (HB 1188), officials from the **Office of the Secretary of State (SOS)** noted 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.

House Amendment 1 to House Amendment 5 – Professional Licensing

Oversight assumes House Amendment 1 to House Amendment 5 will have no fiscal impact on state or local governments.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

Any businesses that accept a temporary license could expect a fiscal impact as a result of this proposal.

Adjusting and changing the embalming and funeral directing license criteria could have a fiscal impact on certain small business funeral establishments.

Certain small massage therapist businesses could be impacted by this proposal.

FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

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

Office of Administration - Administrative Hearing Commission
Department of Commerce and Insurance
Department of Health and Senior Services
Department of Natural Resources
Department of Revenue
Department of Public Safety
 Missouri Highway Patrol
 Missouri Gaming Commission
Missouri Department of Agriculture
Missouri Department of Transportation
Department of Social Services
Office of the Secretary of State
Joint Committee on Administrative Rules
Office of Administration
Kansas City



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April 1, 2025



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