

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2911-02
Bill No.: SCS for SB 817
Subject: Boards, Commissions, Committees, Councils; Economic Development Dept.;
Licenses - Professional; Psychologists
Type: Original
Date: March 2, 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 5 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 Insurance, Department of Economic Development - Division of Professional Registration, Office of State Courts Administrator, Department of Mental Health, Missouri Senate, Office of State Treasurer and Department of Public Safety - Missouri State Highway Patrol** assume the proposal will have no fiscal impact on their organization.

Officials from the **Office of Prosecution Services** assume any costs incurred as a result of the proposal will be absorbable within current resources.

Officials from the **Office of Attorney General (AGO)** assume the proposal would require representation of the new board. The AGO assumes this would require 0.5 FTE, Assistant Attorney General I. The AGO assumes personal service costs and equipment and expense costs of \$35,802 in FY 05; \$34,728 in FY 06; and \$35,657 in FY 07.

Oversight assumes the AGO will be reimbursed for services from the Board of Counselors and Therapists Fund relating to representation provided to the board.

ASSUMPTION (continued)

Officials from the **Department of Health and Senior Services (DOH)** did not respond to our request for a statement of fiscal impact. However, in response to an earlier version of this proposal, the DOH stated the proposal would not be expected to fiscally impact the operations of the DOH. If a fiscal impact were to result, funds to support the program would be sought through the appropriations process.

Officials from the **Office of Administration - Administrative Hearings Commission (AHC)** did not respond to our request for a statement of fiscal impact. However, in response to an earlier version of this proposal, the AHC anticipates the proposal will not significantly alter its caseload. However, if other similar bills pass, if there are more cases or the cases are more complex, there could be a fiscal impact.

Officials from the **Office of the Secretary of State (SOS)** did not respond to our request for a statement of fiscal impact. However, in response to an earlier version of this proposal the SOS states this proposal creates the Board of Counselors and Therapists. The Division of Professional Registration, on behalf of the Board of Counselors and Therapists, could promulgate rules to enact this legislation. Based on experience with other divisions, the rules, regulations and forms issued by the Division of Professional Registration could require as many as 18 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 \$1,107 [(18 pp x \$27) + (27 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 the **Office of the Governor, Department of Elementary and Secondary Education, Department of Revenue, Office of State Public Defender, and Department of Social Services** did not respond to our request for a statement of fiscal impact. However, in response to an earlier version of the proposal, all of these agencies assumed the proposal would have no fiscal impact on their organizations.

<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

The proposal would be expected to fiscally impact small businesses who employ therapists.

DESCRIPTION

This proposal regulates the licensure and registration of marital and family therapists and counselors. The proposal creates the Board of Counselors and Therapists, which shall consist of nine members to be appointed by the Governor. The proposal abolishes the State Committee of Marital and Family Therapists and the Committee for Professional Counselors and merges their duties into the Board of Counselors and Therapists.

Communications made to licensed professional counselors and licensed marital and family therapists shall be considered privileged. The Board shall have the authority to issue subpoenas and require production of documents and records.

The proposal sets forth educational and examination requirements to be licensed as a marital and family therapist or a professional counselor. The Board may issue temporary permits for extenuating circumstances.

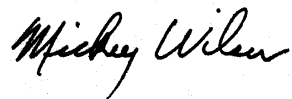
Anyone violating the provisions of Sections 337.400 to 337.430 and Sections 337.505 to 337.540 will be guilty of a Class B misdemeanor.

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 Attorney General
Office of State Courts Administrator
Department of Economic Development -
 Division of Professional Registration
Department of Mental Health
Department of Public Safety -
 Missouri State Highway Patrol
Department of Insurance
Office of Prosecution Services
Missouri Senate
Office of State Treasurer

**NOT RESPONDING: Office of Administration - Administrative Hearing Commission,
Department of Health and Senior Services, Office of Secretary of State, Office of the
Governor, Department of Elementary and Secondary Education, Department of Revenue,
Department of Social Services, and Office of State Public Defender**



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Director
March 2, 2004