

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3001-01
Bill No.: SB 846
Subject: Boards, Commissions, Committees, Councils; Economic Development Dept.;
 Licenses - Professional; Health Care Professionals
Type: Original
Date: January 16, 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
Dietitian Fund	\$86,850	\$2,606	\$92,100
Total Estimated Net Effect on <u>All</u> State Funds	\$86,850	\$2,606	\$92,100

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 **Office of State Courts Administrator** and **Office of State Public Defender** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Office of Prosecution Services** assume costs associated with this proposal will be absorbable within current funding levels.

Officials from the **Department of Economic Development (DED) - Division of Professional Registration (PR)** state this proposal creates mandatory licensure for persons who practice or offer to practice dietetics in the State of Missouri. The Missouri Dietetic Association estimates that there will be approximately 579 applicants for licensure upon passage of this proposal. It is estimated that a \$150 application fee will be charged and a \$150 biennial fee thereafter. A 3% growth rate has also been calculated. It is assumed that all costs can be covered by the boards' current appropriation.

Officials from the **Department of Corrections (DOC)** state currently the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

ASSUMPTION (continued)

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY 03 average of \$3.15 per offender per day or an annual cost of \$1,150 per offender). Therefore, supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

Officials from the **Office of the Secretary of State (SOS)** state this proposal modifies the licensing of dietitians. The Division of Professional Registration could promulgate rules to enact this legislation. Based on experience with other divisions, the rules, regulations and forms issued by the Department could require as many as 8 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 \$492 [(8 pp x \$27) + (12 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.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
DIETITIAN FUND			
<u>Income - Department of Economic Development - Professional Registration</u>			
Licensing Fees	<u>\$86,850</u>	<u>\$2,606</u>	<u>\$92,100</u>
ESTIMATED NET EFFECT ON DIETITIAN FUND	<u>\$86,850</u>	<u>\$2,606</u>	<u>\$92,100</u>

FISCAL IMPACT - Local Government

FY 2005
(10 Mo.)

FY 2006

FY 2007

\$0

\$0

\$0

FISCAL IMPACT - Small Business

Small businesses employing dietitians may be impacted by this proposal.

DESCRIPTION

This proposal modifies provisions relating to the licensing of dietitians. Definitions for "dietetics practice" and "registered dietitian" are created. The State Committee of Dietitians is placed within the division of professional registration. The Committee shall assist the division in carrying out the provisions of the Dietitians Practice Act and shall approve the licensing examination.

Any person holding themselves out as a dietitian or practices or offers to practice as a dietitian shall be guilty of a Class A misdemeanor. Certain persons are exempted from the licensure requirements of this act provided they do not hold themselves out as a dietitian.

Licenses are allowed to let their license lapse or be put on inactive status, provided the licensee does not practice during the time the license is lapsed or inactive. The proposal creates requirements for maintaining an inactive license and for reinstating a lapsed license. A person practicing with a lapsed or inactive license shall be guilty of a Class A 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 State Courts Administrator
Department of Economic Development -
 Division of Professional Registration
Department of Corrections
Office of Prosecution Services
Office of Secretary of State
Office of State Public Defender



Mickey Wilson, CPA
Director
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