COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4017-03
Bill No.: SCS for SB 1122
Subject: Dentists; Licenses - Professional; Health Care Professionals; Corporations
Type: Original
Date: February 25, 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 OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on All 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 All 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 Social Services, Department of Economic Development - Division of Professional Registration** and **Department of Health and Senior Services** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Office of Administration - Administrative Hearing Commission** state they do not anticipate that this proposal will significantly alter their caseload. However, if other similar proposals also pass, 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)** state this proposal modifies provisions relating to the practice of dentistry. Based on experience with other divisions, the rules, regulations and forms issued by the Missouri Dental Board 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of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn.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)].

ASSUMPTION (continued)

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 State Courts Administrator (CTS)** did not respond to our request for a statement of fiscal impact. However, in response to a similar proposal, the CTS assumed there would be no fiscal impact to their organization.

FISCAL IMPACT - State Government	FY 2005 (10 Mo.)	FY 2006	FY 2007
	$0	**$0**	**$0**

FISCAL IMPACT - Local Government	FY 2005 (10 Mo.)	FY 2006	FY 2007
	$0	**$0**	**$0**

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal modifies provisions relating to the practice of dentistry and the powers of the Dental Board.

The Dental Board is authorized to issue and enforce subpoenas, including subpoenas duces tecum. Board investigators are authorized to inspect any person or entity licensed or permitted by the board, including all facilities and equipment related to the delivery of dental care or the making of dental prostheses. The investigators may also inspect clinical and administrative records related to the dental care of patients. The definition of the "practice of dentistry" is modified to include persons who interfere with the dentist's independent professional judgement as well as persons who review patient data in order to make judgements or decisions about the dental care of a patient.

DESCRIPTION (continued)

The proposal provides that nothing shall make it unlawful for dental hygiene students and persons practicing dentistry in certain federally qualified health centers or migrant, community or health care for the homeless health centers to provide appropriate services without a license or registration.

Certain federally qualified not-for-profit corporations may provide dental services if such corporation employs personnel licensed in this state and serves certain low-income populations. The corporation shall not interfere with a licensed dentist's professional judgement and must apply for a permit from the Dental Board to employ licensed dental personnel to render dental services. No fee shall be charged for the issuance or renewal of a permit. The permitted corporation shall be subject to discipline in the same manner as any other licensee of the board. The act authorizes the board to seek injunctive relief against a corporation or other entity and creates a new basis for seeking injunctive relief relating to interference by a person or entity with the professional judgement of a licensed dentist.

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 Economic Development -
Division of Professional Registration
Department of Health and Senior Services
Department of Social Services
Office of Secretary of State

NOT RESPONDING: Office of State Courts Administrator

Mickey Wilson

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Director
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