

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1010-01
Bill No.: SB 167
Subject: Licenses - Professional; Nurses
Type: Original
Date: February 8, 2013

Bill Summary: This proposal modifies the laws on the licensing requirements and services provided by nurses.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</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 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services (DSS) - MO HealthNet Division (MHD)** state this proposal repeals current provisions of law which authorizes physicians to enter into collaborative practice arrangements with advanced practice registered nurses. Under the proposal, doctors may delegate to a registered professional nurse or licensed practical nurse the authority to administer or dispense drugs and provide treatment within the scope of practice, skills, and training of the nurse. The proposal provides that each advanced practice registered nurse is accountable to patients for having a written attestation for consultation, care coordination, or referral with a physician or other health care providers. Physicians may still enter into a collaborative practice agreement with certified registered nurse anesthetists.

MHD currently allows payment of prescription drugs when prescribed by an advanced practice registered nurse. There may be less of a delay in participants getting their prescriptions, but MHD does not anticipate an increase in prescriptions and, therefore, there will be no fiscal impact to MHD regarding these provisions.

The proposal adds advanced practice registered nurses to the list of those who can prescribe drugs covered by MO HealthNet payments. Services of an advanced practice registered nurse are also added to the list of services qualified for MO HealthNet payments.

MHD currently allows payment of controlled substances when prescribed by an advanced practice registered nurse. There may be less of a delay in participants getting their prescriptions, but MHD does not anticipate an increase in prescriptions and, therefore, there will be no fiscal impact to MHD regarding these provisions.

The proposal repeals provisions allowing the Board of Nursing to grant certificates of controlled substance prescriptive authority to advanced practice registered nurses. The proposal provides that all advanced practice registered nurses are authorized to provide certain services.

MHD already allows this, so there would be no fiscal impact for this provision.

Lastly, the proposal provides that a registered professional nurse is permitted to authorize a pharmacist to fill a prescription on behalf of an advanced practice registered nurse.

MHD already allows this, so there would be no fiscal impact for this provision.

No other provisions of the proposal affect MHD.

HWC:LR:OD

ASSUMPTION (continued)

Officials from the **Department of Insurance, Financial Institutions, and Professional Registration** and the **Department of Health and Senior Services** assume the proposal would not fiscally impact their agency.

Officials from the **Office of Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office 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 \$2,500. The SOS recognizes this is a small amount and does not expect that additional funding would be required to meet these costs. However, it is also recognized 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 within 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.

Officials from the **Office of Attorney General** assume any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **Joint Committee on Administrative Rules (JCAR)** state the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

Officials from the **Office of Prosecution Services (OPS)** assume the proposal will have no measurable fiscal impact on the OPS.

Officials from the **Office of Administration - Administrative Hearing Commission** anticipate this legislation will not significantly alter its caseload. However, if similar bills pass, resulting in more cases, there will be a fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

The proposal may positively impact small business healthcare providers by reducing administrative costs associated with collaborative practice arrangements.

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 Attorney General
Office of Administration -
 Administrative Hearing Commission
Department of Insurance, Financial Institutions,
 and Professional Registration
Department of Health and Senior Services
Department of Social Services
Joint Committee on Administrative Rules
Office of Prosecution Services
Office of Secretary of State



Ross Strope
Acting Director
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