

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1111-03
Bill No.: SB 552
Subject: Health Care; Health Care Providers; Physicians; Optometry; Medical Procedures and Personnel
Type: Original
Date: March 13, 2001

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON STATE FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2002 | FY 2003 | FY 2004 |
| None | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> State Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2002 | FY 2003 | FY 2004 |
| None | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|-------------------------------------|------------|------------|------------|
| FUND AFFECTED | FY 2002 | FY 2003 | FY 2004 |
| Local Government | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation**, the **Department of Public Safety - Missouri State Highway Patrol**, the **Department of Conservation**, the **Department of Insurance**, the **Department of Social Services**, the **Department of Economic Development - Division of Professional Registration**, and the **Missouri Consolidated Health Care Plan** assume this proposal would not fiscally impact their agencies.

Office of Secretary of State (SOS) officials state this proposal would outline procedures for the comanagement of patients by certain physicians. The Board of Healing Arts would promulgate rules to implement this proposal. SOS states that based on experience with other divisions, the rules, regulations, and forms issued by the Board of Healing Arts could require as many as 12 pages in the Code of State Regulations. For any given rule, roughly half again as many pages are published in the Missouri Register in the Code because cost statements, fiscal notes, and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the Missouri Register is \$23. The estimated cost of a page in the Code of State Regulations is \$27. The actual cost (\$738) could be more or less than the numbers given. The fiscal impact of this proposal in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded, or withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple proposals 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 2002 (10 Mo.) | FY 2003 | FY 2004 |
|---|---------------------|------------|------------|
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| <u>FISCAL IMPACT - Local Government</u> | FY 2002 (10 Mo.) | FY 2003 | FY 2004 |
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

Small businesses would expect to be fiscally impacted to the extent they may incur additional administrative costs due to the requirements of this proposal.

DESCRIPTION

This proposal would outline procedures for the co-management of patients by physicians. A new Section 334.108 would be created regarding "surgical comanagement", which would be defined as the collaboration between two eye care providers in which pre- and post-operative care would be delegated by the operating surgeon to another eye care provider. Surgical comanagement arrangements would be created when in the best interests of the patient or when a qualified surgeon is not available. The comanaging eye care provider would not receive a fee that exceeds the value of services provided. Comanagement would not be permitted for the purpose of indiscriminate comanagement of patients or referrals, when the patient requests care from a specific surgeon or provider, or when the patient should be released. The patient would give informed consent to comanagement after receiving a detailed explanation of the arrangement. The surgeon and comanaging provider would also have a written protocol on the provision of care. A list of violations would be given, including splitting fees, manipulating referrals, or failing to inform the patient. The Board of Registration for the Healing Arts would disciplinary power and rule power to enforce this section.

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

Department of Transportation
Department of Public Safety
Missouri State Highway Patrol
Department of Conservation
Department of Insurance
Missouri Consolidated Health Care Plan
Department of Social Services
Department of Economic Development
Division of Professional Registration



Jeanne Jarrett, CPA
Director

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