



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 342

PRINTERS NO. 549

PRIME SPONSOR: Greenleaf

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
Professional Licensure Augmentation Account	\$0	See Fiscal Impact

SUMMARY: Amends the Occupational Therapy Practice Act to update various provisions, require occupational therapists to maintain professional liability insurance and authorize an impaired professionals program. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends the Occupational Therapy Practice Act (Act 140 of 1982) to do the following:

- Updates the definition of “occupational therapy” to include the use of orthotics to enhance performance in occupations.
- Increases the per diem allowance for members of the State Board of Occupational Therapy (Board) from \$30 to \$60, and provides for the removal of board members if they fail to attend 3 meetings in an 18 month period.
- Requires occupational therapists to maintain \$1 million in professional liability insurance.
- Authorizes occupational therapists to accept patient referrals from certified registered nurse practitioners and physician assistants.
- Authorizes the Board to establish continuing education requirements for occupational therapy assistants.
- Establishes an impaired professionals program which will allow the Board to participate in the Department of State's existing Professional Health Monitoring Program. Under the program, the Board has the discretion to defer and ultimately dismiss disciplinary action against licensees with drug or alcohol problems

provided they complete the monitored treatment program. The program is not available for licensees with felony controlled substance convictions.

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FISCAL IMPACT: According to the Department of State, this legislation is expected to cost the Professional Licensure Augmentation Account \$5,050 to \$7,050 per fiscal year. These costs however, would be offset by increased licensing fees within the Account. This legislation would have no adverse fiscal impact on the General Fund.

According to the Department, the increase in the per diem allowance to Board members will increase costs by \$1,050 per year, assuming that seven board members attend five, one-day meetings a year.

There will also be minimal additional costs involving Board participation in the impaired professional program. The licensee population of the Board is relatively small and does not have the same access to drugs as physicians, nurses, and pharmacists. The structure of the Bureau's Professional Health Monitoring Program is fully capable of handling the few additional cases that the Board may bring. Moreover, the costs of treatment and monitoring are borne by the licensees. This new provision is expected to cost the Board approximately \$4,000 to \$6,000 per fiscal year.

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House Appropriations Committee (R)

DATE: May 3, 2012

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.