



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 48

PRINTERS NO. 23

PRIME SPONSOR: Scavello

COST / (SAVINGS)

FUND	FY 2010/11	FY 2011/12
General Fund	\$0	\$0
State Board of Medicine Restricted Revenue Account	\$0	\$0

SUMMARY: Establishes a state licensure requirement for prosthetists, orthotists, pedorthists and orthotic fitters under the Medical Practice Act. This legislation will take effect immediately.

ANALYSIS: This legislation amends the Medical Practice Act (Act 112 of 1985) to require licensing of prosthetists, orthotists, pedorthists, and orthotic fitters. The following are major provisions:

1. Provides that an individual must be licensed with the Board of Medicine in order to provide prosthetics, orthotics, pedorthics or orthotic fitting.
2. Requires for licensure qualification that an applicant be of good moral character and have completed certain educational requirements.
3. Requires fulfillment of all educational and training requirements for certification by a prosthetic, orthotic, pedorthic and orthotic fitting credentialing organization recognized by the National Organization for Competency Assurance (NOCA) and accredited by the National Commission for Certifying Agencies (NCCA) and any additional requirements of the Board, and pass all examinations required for certification by a credentialing organization recognized by NOCA and accredited by NCCA.
4. Requires the applicant to submit a Board-approved application and any fees as prescribed by the Board by regulation, and to not be addicted to alcohol, narcotics or other habit-forming drugs, or convicted of a felony under the Controlled Substance, Drug, Device and Cosmetic Act, unless: ten years has elapsed since conviction; the applicant demonstrates to the Board significant progress in rehabilitation; the public health and safety is not at risk; and the applicant satisfies the qualifications required under the act.

5. Requires biennial license renewal upon certification of successful completion of continuing educational requirements.
6. Provides a “grandfather clause” so that existing practitioners have a two-year window from the act’s effective date to acquire licensure by the Board if they:
 - a. currently hold a valid national certification as a prosthetist, orthotist, pedorthist or orthotic fitter; AND
 - b. have been in active, continuous practice for the immediately preceding three years.
7. Requires a minimum of \$1 million in professional liability insurance coverage for all licensees.
8. Requires the Board to promulgate regulations within 18 months of the effective date with Board enforcement going into effect upon publication of final regulations or 24 months after the effective date, whichever occurs first.

FISCAL IMPACT: The Department of State’s estimated personnel and operating costs for existing staff that would be charged to the State Board of Medicine to license and regulate this legislation would be \$91,500 annually. This expense would be offset by the approximate biennial fee of \$406 on the approximate 450 prosthetists, orthotists, orthotic fitters and pedorthists in the Commonwealth. This legislation will have no adverse impact on the General Fund.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: April 28, 2011

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