

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 990

PRINTER'S NO. 1215

AMOUNT

\$11,000 in FY 2013-14
\$11,000 in FY 2013-14

FUND

General – State Board of Medicine Restricted Account
General – State Board of Osteopathic Medicine
Restricted Account

DATE INTRODUCED

June 12, 2013

PRIME SPONSOR

Senator Browne

HISTORY OF BILL

Referred to CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
June 12, 2013

Reported as committed, Nov. 12, 2013

First consideration, Nov. 12, 2013

Second consideration, Nov. 19, 2013

Re-referred to APPROPRIATIONS, Nov. 19, 2013

Re-reported as committed, Dec. 3, 2013

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 990 amends the Acupuncture Licensure Act. The bill provides that an acupuncturist is permitted to treat a person who has not obtained a diagnosis of their condition, for a period longer than 60 calendar days, if the person does not present any symptoms of a condition.

The bill also requires a licensed acupuncturist to obtain and maintain professional liability insurance. Minimum insurance coverage of \$1 million per occurrence is required. The bill provides that failure to maintain insurance coverage will result in disciplinary proceedings. It requires a licensee to provide notification to the State Board of Medicine and the State Board of Osteopathic Medicine if any lapse in insurance coverage occurs. The bill requires that any license must be suspended upon failure to maintain insurance coverage.

The bill specifies that the Boards shall accept the following as satisfactory evidence of insurance coverage:

- 1) Self-insurance;
- 2) Personally purchased professional liability insurance; or
- 3) Professional liability insurance coverage provided by the licensee's employer or any similar type of coverage acceptable to the Boards.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

The Act shall take effect in 90 days.

FISCAL IMPACT:

There are currently 564 acupuncturists and 156 practitioners of Oriental medicine licensed by the State Board of Medicine; and 135 acupuncturists licensed by the State Board of Osteopathic Medicine, who will need to obtain and maintain professional liability insurance. The two Boards will incur some costs in the enforcement of the new professional liability insurance requirements.

The State Board of Medicine and the State Board of Osteopathic Medicine will also incur expenses to promulgate regulations necessitated by this legislation. The Department of State estimates that the process of promulgating regulations cost \$11,000.

Both the State Board of Medicine and the State Board of Osteopathic Medicine have adequate funds to absorb the cost of enforcement for this small class of licensees as well as the regulatory promulgation expense.