

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 753** HLS 18RS 1828

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.: **HB 584**

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|--|---------|-----------------------------|
| Date: April 9, 2018 | 7:05 AM | Author: STOKES |
| Dept./Agy.: LA State Board of Medical Examiners | | Analyst: Zachary Rau |
| Subject: Licensure of Genetic Counselors | | |

LICENSING

EG INCREASE SG EX See Note

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Provides for licensure of genetic counselors

Proposed law establishes the licensed profession of genetic counselors in LA and provides for their licensure by the LA State Board of Medical Examiners (LSBME). Proposed law defines the actions of a genetic counselor. Proposed law creates the Genetic Counselor Advisory Committee for the purpose of advising and making recommendations to the LSBME regarding genetic counseling and licensure, and further provides for the composition, duties, and functions of the advisory board. Proposed law allows for collaborative practice agreements. Proposed law requires the LSBME to promulgate rules for regarding permanent and temporary genetic counselor licensure, the conduct disciplinary hearings, and the maintenance of information of licensees. Proposed law provides qualifications needed for licensure as a genetic counselor. Proposed law provides for exceptions to licensure. Proposed law provides for license renewals and applicable fees. Proposed law establishes criteria for denial, revocation, suspension, or cancellation of a license and further provides for other disciplinary actions. Proposed law prohibits practicing as a genetic counselor without licensure and provides for disciplinary actions. Proposed law provides that a violation of proposed law shall be considered a misdemeanor punishable by an initial fine of up to \$1,000 and up to \$2,000 for each subsequent offense.

| EXPENDITURES | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Agy. Self-Gen. | INCREASE | INCREASE | INCREASE | INCREASE | INCREASE | |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | \$0 |
| Annual Total | | | | | | |
| REVENUES | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 5 -YEAR TOTAL |
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | INCREASE | INCREASE | INCREASE | INCREASE | INCREASE | |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Annual Total | | | | | | |

EXPENDITURE EXPLANATION

Proposed law will increase SGR expenditures for the LA State Board of Medical Examiners (LSBME) by an indeterminable amount. The proposed legislation creates the Genetic Counselor Advisory Committee (GCAC) and provides for the licensure of genetic counselors in Louisiana. Up-front costs associated with the proposed law include initial rule promulgation regarding the regulation of genetic counselors in Louisiana. Rule promulgation costs typically total \$1,000. Furthermore, the LSBME will be responsible for licensure activities, including conducting disciplinary hearings for licensees, maintenance of licensee records, and review of recommendations by the GCAC, which are anticipated to carry a marginal administrative cost. In addition, although members of the GCAC will not earn compensation, they will be reimbursed for expenses pursuant to PPM 49. While proposed law does increase administrative expenditures for the LSBME associated with the licensure of genetic counselors, it is assumed that any expenditures associated with licensure activities would likely be defrayed via fees paid by genetic counselors for licenses (see Revenue Explanation).

Lastly, proposed law may increase SGF expenditures for district courts to extent the LSBME seeks judicial action against persons practicing as genetic counselors without licensure. However, such costs are speculative and dependent upon the LSBME seeking such action.

REVENUE EXPLANATION

Proposed law will increase SGR collections for the LA State Board of Medical Examiners by an indeterminable amount. The proposed legislation vests the LSBME with rulemaking authority associated with the initial licensure and license renewals of genetic counselors, including applicable fees. However, proposed law does not explicitly include fee amounts. To the extent the LSBME promulgates rules with associated with licensure of genetic counselors, including license fees and other fees as necessary, any revenue derived from the aforementioned fees would accrue to the LSBME as SGR. However, because proposed law does not explicitly state license fee amounts, and because the number of genetic counselors that may be licensed by the LSBME is unknown, the exact revenue increase is indeterminable.

Furthermore, proposed law creates a new misdemeanor of "unlawful practice as a genetic counselor" and provides that the initial conviction of this misdemeanor would carry a fine of up to \$1,000. Subsequent violations and convictions would carry fines of up to \$2,000. Because the number of persons who may be convicted for practicing as an unlicensed genetic counselor is unknown, revenue derived from this source is speculative. However, in the event fines are levied for violations, they would accrue to local governing authorities.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

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