LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On:	**SB** **134** SLS 13RS 144
Bill Text Version:	**ENROLLED**
Opp. Chamb. Action:	
Proposed Amd.:	
Sub. Bill For.:	

Date: May 30, 2013	12:57 PM	**Author:**	MORRELL & HEITMEIER
Dept./Agy.: DHH/OBH			
Subject: Behavior Analysts		**Analyst:**	Jennifer Katzman

Provides for licensure of behavior analysts.

Proposed law creates the Louisiana Behavior Analyst Board under the Department of Health & Hospitals (DHH) for the establishment of licensure, education, and practice requirements of behavior analysts and associated fees. According to the proposed law, the "scope of practice of behavior analysis" includes empirical identification of functional relations between behavior and environments using direct observation and measuring behavioral and environmental factors. Behavior analysts may also help people develop new behaviors, increase or decrease existing behaviors, and emit behaviors under specific environmental conditions.

EXPENDITURES	2013-14	2014-15	2015-16	2016-17	2017-18	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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Local Funds	$0	$0	$0	$0	$0	$0
Annual Total						

REVENUES	2013-14	2014-15	2015-16	2016-17	2017-18	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	$0	$0	$0	$0	$0	$0
Annual Total						

EXPENDITURE EXPLANATION

Proposed law states that the newly created LA Behavior Analyst Board (LBAB) consist of 6 members that shall serve without compensation except for reimbursement of travel expenses. Estimated annual costs for travel expenses for quarterly meetings are $2,448. Depending on the number of additional meetings per year that the board schedules, these costs may increase. The proposed legislation is silent as to whether DHH will fund the board's travel expenses from its operating budget or if these costs will be reimbursed from the board's revenues. Since there is no state appropriation for the LA Behavior Analyst Board budgeted in FY 14, the LFO assumes these expenditures will be made from the self-generated revenues of the board. It is also anticipated that LBAB will increase SGR expenditures by an indeterminable amount for the personnel and operating expenses of the board, including criminal background checks for licensure applicants. Expenditures will be based on the level of fees collected from licensure applicants and licensees; however, an unknown amount in startup expenditures for LBAB will have to be borne by DHH since LBAB will have to develop licensure and education requirements in rule before it can collect fees.

It is unclear if there is an impact on Medicaid expenditures as a result of this legislation. Behavior Analysts are not currently eligible for Medicaid reimbursement under the LBHP, and it is unclear if licensing will make them newly eligible for reimbursement for applied behavior analysis (ABA) or the other services they provide.

REVENUE EXPLANATION

State SGR revenues will increase by an indeterminable amount depending on the number of Behavior Analysts that apply for licensure and pay the requisite fees to the LBAB set by the fee schedule in the proposed legislation. The proposed legislation also requires criminal background checks on all licensure applicants, which will increase in SGR revenues to LA State Police by $26 per applicant. The Secretary of State will also realize an indeterminable increase in SGR from filing fees for newly licensed Behavior Analysts.

Senate	Dual Referral Rules	House	
☐ 13.5.1 >= $100,000 Annual Fiscal Cost {S&H}		☐ 6.8(F) >= $500,000 Annual Fiscal Cost {S}	*Evan Brasseaux*
☐ 13.5.2 >= $500,000 Annual Tax or Fee Change {S&H}		☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease {S}	**Evan Brasseaux** **Staff Director**