

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5717H.011
Bill No.: HB 2850
Subject: Department of Health and Senior Services; Health Care; Drugs and Controlled Substances
Type: Original
Date: March 15, 2022

Bill Summary: This proposal creates provisions relating to natural medicine.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
General Revenue	(\$11,902)	\$0	\$0
Total Estimated Net Effect on General Revenue	(\$11,902)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§191.478 and 579.015 – Natural medicine

Officials from the **Department of Health and Senior Services (DHSS)** state the Bureau of Narcotic and Dangerous Drugs (BNDD) in consultation with ITSD will update MOHWORX to accept application from select practitioners that are not registered and licensed with Professional Registration to prescribe select Schedule 1 drugs. This requires an additional application path and modifications to the application logic to not require a license match with PR. The estimated cost is \$11,902 (125.28 consultant hours at the contract consultant rate of \$95/hr).

It is assumed it will take a Regulatory Compliance Manager (average salary \$71,621) a total of approximately 40 hours to amend regulations and make a new application and category of registrants. Based on 2,080 working hours per year, this would require 0.02 FTE ($40 \div 2,080$ hours per year) to accomplish these duties for a total personal service cost of \$1,432 ($\$71,621 \times .02$) in FY 23.

The department anticipates being able to absorb the personal services cost; however, until the FY23 budget is final, the department cannot identify specific funding sources.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect one time ITSD costs as the fiscal impact to General Revenue for FY 23 for DHSS.

Officials from the **Department of Commerce and Insurance**, the **Department of Corrections**, the **Department of Social Services**, the **Missouri Department of Conservation**, the **Missouri Department of Transportation**, the **Office of the State Public Defender**, the **Missouri Consolidated Health Care Plan**, the **Missouri Office of Prosecution Services** and the **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **Department of Public Safety, Missouri Highway Patrol** defer to the MoDOT/MHP Health Care Board for response relating to the fiscal impact of this proposal on their organization.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT – State Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
GENERAL REVENUE FUND			
<u>Costs</u> – DHSS (§§191.478 and 579.015) – ITSD costs to update MOHWORX application	(\$11,902)	\$0	\$0
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$11,902)</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

This proposal may impact small business that provide natural medicine and related items. (§191.478)

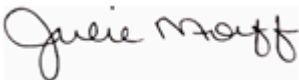
FISCAL DESCRIPTION

This proposal creates provisions relating to natural medicine.

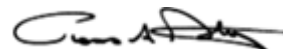
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Commerce and Insurance
Department of Health and Senior Services
Department of Corrections
Missouri Department of Transportation
Department of Public Safety - Missouri Highway Patrol
Department of Social Services
Missouri Department of Conservation
Office of the Secretary of State
Office of the State Public Defender
Joint Committee on Administrative Rules
Missouri Consolidated Health Care Plan
Missouri Office of Prosecution Services
Office of the State Courts Administrator



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March 15, 2022



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