

HF981 - 2E - "Optometrist License Prov"

Chief Author: **Roz Peterson**
 Committee: **Health and Human Services Finance**
 Date Completed: **04/08/2015**
 Agency: **Optometry Board**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2015	FY2016	FY2017	FY2018	FY2019
Health Related Boards	-	(30)	(35)	(35)	(35)	(35)
Total	-	(30)	(35)	(35)	(35)	(35)
Biennial Total			(65)			(70)

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2015	FY2016	FY2017	FY2018	FY2019
Health Related Boards	-	-	-	-	-
Total	-	-	-	-	-

Executive Budget Officer's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with MMB's Fiscal Note policies.

EBO Signature: Brian McLafferty Date: 4/8/2015 8:07:02 PM
 Phone: 651 201-8037 Email Brian.McLafferty@state.mn.us

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2 Dollars in Thousands	Biennium			Biennium	
	FY2015	FY2016	FY2017	FY2018	FY2019
Health Related Boards	-	(30)	(35)	(35)	(35)
Total	-	(30)	(35)	(35)	(35)
Biennial Total			(65)		(70)
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Health Related Boards	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-
2 - Revenues, Transfers In*					
Health Related Boards	-	30	35	35	35
Total	-	30	35	35	35
Biennial Total			65		70

Bill Description

This bill updates the Minnesota Board of Optometry Practice Act. It is a technical bill to modify outdated statutes, codify fees into statutes and deletes them from rules, and updates the Grounds for Discipline to replicate other similar health licensing board statutes.

Section by Section Review:

Section 1 Board of optometry. Amends § 148.52. Clarifies that optometrists who are appointed to the board must be licensed in Minnesota.

Section 2 Board; seal. Amends § 148.54. Adds the offices of vice president and secretary to the board.

Section 3 License. Amends § 148.57. Strikes the application and endorsement fees. Strikes cross references to sections repealed in this bill. Strikes subdivisions 3 (revocation, suspension) and 4 (peddling or canvassing forbidden). Adds subdivision 5. Requires a regulated person to maintain a current name and address with the board and notify the board in writing within 30 days of any change. Requires a regulated person to request revised credentials from the board when the person has a name change. Establishes requirements for reissuance of lost, stolen, or destroyed credentials.

Section 4 Prohibitions relating to legend drugs. Amends § 148.574. Strikes references to sections repealed in this bill..

Section 5 Requirement for use of legend drugs. Amends § 148.575. Strikes subdivisions 1 (certificate required for use of legend drugs), 3 (display of certificate required), 5 (notice to Board of Pharmacy), and 6 (board certification required). Strikes obsolete language related to board certification for use of legend drugs since the use of legend drugs is now part of the curriculum in optometric training.

Section 6 Standard of care. Amends § 148.577. Strikes reference to a section repealed in this bill..

Section 7 License and registration fees. Amends § 148.59. Establishes fees. Provides that fees may not exceed the listed amounts, but may be adjusted lower by the board.

Section 8 Grounds for disciplinary action. Amends § 148.603. Establishes the conduct that may be the basis for disciplinary action. The grounds reflect best practices as currently in statute for other Health Licensing Boards.

Section 9 Reporting obligations. Creates § 148.604. .

Section 10 Immunity. Creates § 148.605. Subd. 1. Reporting. Provides that any individual or entity making a report under section 148.604 in good faith and in exercise of reasonable care is immune from criminal and civil liability.

Assumptions

The board would anticipate implementation on August 1, 2015.

- No fiscal impact is anticipated as result of sections 1-6 and 8-10 of the bill.

Assumptions specific to the Revenue Table:

- The current number paying is based on the prior five year average for each category. All numbers are set on those averages with the exception of licensees which have a net increase of approximately 15-20 Optometrists per year.
- Future revenue estimates assume that board fees are set at the not to exceed amounts identified in the bill. The not to exceed numbers can be lowered as the Board desires to maintain a minimum reserve or the six month surplus. It will review the fee schedule once legislation is passed and set the actual fee schedule at the September, 2015 meeting. Preliminary discussion would maintain the current annual renewal of license charge to the Optometrist at \$115.00 as the surcharge fee is being sunset on June 30, 2015.
- To implement the new fee tables, a modest expenditure of not to exceed \$1000.00 for updating web services, data base and forms would be incurred. It is anticipated that implementation expense would be absorbed within current operations.
- The fees associated with old statutes (TPA, DPA) are removed and those fees are combined with a single application fee.

Expenditure and/or Revenue Formula

Revenues

Description	Current Fee Amount	Proposed not to Exceed Fee	Number Paying	Current FY 2015 Estimate	FY 2016	FY 2017	FY 2018	FY2019
Optometry Licensure Application	\$87.00	\$160.00	25	\$2,175	\$4,000	\$4,000	\$4,000	\$4,000
Opt Licensure Registration	\$12.00	\$12.00	25	\$300	\$300	\$300	\$300	\$300
Opt Annual License Renewal	\$105.00	\$135.00	1,032 / 1,047	\$108,360	\$136,350	\$141,345	\$141,345	\$141,345
Opt Late Penalty Fee	\$35.00	\$75.00	16	\$560	\$1,200	\$1,200	\$1,200	\$1,200
Opt DPA Application	\$10.00	\$0.00	0	\$0	\$0	\$0	\$0	\$0

Description	Current Fee Amount	Proposed not to Exceed Fee	Number Paying	Current FY 2015 Estimate	FY 2016	FY 2017	FY 2018	FY2019
OPT TPA Application	\$50.00	\$0.00	32	\$1,600	\$0	\$0	\$0	\$0
Opt Duplicate / Replacement	\$10.00	\$10.00	182	\$1,820	\$1,820	\$1,820	\$1,820	\$1,820
Opt CE Application	\$15.00	\$45.00	23	\$345	\$1,035	\$1,035	\$1,035	\$1,035
Opt Emeritus Registration	\$10.00	\$10.00	2	\$20	\$20	\$20	\$20	\$20
Opt Reciprocity Application	\$87.00	\$160.00	0	\$0	\$0	\$0	\$0	\$0
License Verification	\$0.00	\$50.00	10	\$0	\$500	\$500	\$500	\$500
Total Estimate Revenue				\$115,180	\$145,225	\$150,220	\$150,220	\$150,220
Total Estimate Increase from current rate to new rate					\$30,000	\$35,000	\$35,000	\$35,000

Long-Term Fiscal Considerations

No Impact

Local Fiscal Impact

No Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Juli Vangness

Phone: 651 259-5551

Date: 4/8/2015 6:06:24 AM

Email: Juli.Vangness@state.mn.us