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Fiscal Note

Drafting Number: LLS 22-0623
Prime Sponsors: Sen. Simpson

Date: February 3, 2022
Bill Status: Senate HHS
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Bill Topic: **DENTAL HYGIENISTS PEER HEALTH ASSISTANCE PROGRAM**

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill creates a dental hygienists peer health assistance program, to be administered by a third-party. Starting in FY 2022-23, the bill increases revenue to the third-party administrator and increases state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Table 1
State Fiscal Impacts Under SB 22-058

		Budget Year FY 2022-23	Out Year FY 2023-24
Revenue	Third Party Administrator ¹	-	\$99,660
Expenditures		-	-
Transfers		-	-
Other Budget Impacts		-	-

¹ The revenue impact estimated in this bill goes to a third-party administrator and not the state. It is shown for informational purposes and to estimate the fee impact on regulated professionals.

Summary of Legislation

The bill creates the Dental Hygienist Peer Health Assistance Program to assist dental hygienists with any physical, emotional, and psychological problems. To administer the program, the Colorado Dental Board within the Department of Regulatory Agencies (DORA) must contract with a third-party entity. To pay for the program, every dental hygienist must pay a fee of up to \$11 per year to the administering entity starting July 1, 2022, as a condition of renewing their license. The board may adjust the fee for inflation every year starting January 1, 2023. The fee revenue is not subject to the state's TABOR limit.

The bill allows the Dental Board to refer dental hygienists to the peer health assistant program in lieu of disciplinary action. The board may suspend the license of a dental hygienist who fails to attend or complete the program. In addition, dental hygienists must self-refer themselves to the program within 30 days of a drug or alcohol related offense.

State Revenue

Fee impact on dental hygienists. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. The table below identifies the fee impact of this bill. Though the Colorado Dental Board may collect fees payable to the administering entity, the funds are not state revenue and therefore not subject to TABOR. It is shown here for informational purposes and to estimate the fee impact on dental hygienists.

The fiscal note assumes that fee revenue will be collected in FY 2023-24 since dental hygienists renew their licenses every even year (see Technical Note). Based on the current fee for dentists to run a peer assistance program (\$50) and the associated costs of running the program, the fiscal note assumes that the fee in this bill will max out at the allowable amount of \$11 per year, or \$22 for two years. The fiscal note assumes that there will be 4,530 license renewals every other year, resulting in revenue of \$99,660 over two years.

Table 2
Fee Impact on Dental Hygienists Under SB 22-058

Fiscal Year	Type of Fee	Proposed Fee	Number Affected	Total Fee Impact
FY 2023-24	Peer Assistance Fee	\$22	4,530	\$99,660
FY 2023-24 Total				\$99,660

State Expenditures

Starting in FY 2023-24, workload within DORA will increase to oversee the contract of the third-party program administrator. The fiscal note assumes this work can be accomplished within existing appropriations.

Technical Note

Dental hygienists are required to renew their licenses every even year by March 1st. Because the new fee takes effect July 1, 2022, after the 2022 renewal deadline, the fiscal note assumes that the new fee will not be paid and the program will not begin until FY 2023-24. In addition, the bill caps the fee charged to dental hygienists at \$11 per year plus inflation. Based on similar programs, the fiscal note assumes the fee will be set at its maximum allowable amount. If the fee revenue is not sufficient, future legislation will be required to raise the fee.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Information Technology
Personnel

Judicial
Regulatory Agencies

Law