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REVISED FISCAL NOTE

(replaces fiscal note dated March 27, 2019)

Drafting Number: LLS 19-0377 Date: April 24, 2019
Prime Sponsors: Sen. Ginal; Lee Rep. Tipper Bill Status: House Finance
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Bill Topic: SUNSET CONTINUE COLORADO MEDICAL PRACTICE ACT

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

Sunset bill. The bill continues the Colorado Medical Board in the Department of Regulatory Agencies, which is scheduled to repeal on July 1, 2019. State fiscal impacts include both increased workload from changes to the program under the bill, as well as the continuation of the program's current revenue and expenditures. The program is continued through September 1, 2026.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the reengrossed bill.

Table 1 State Fiscal Impacts Under SB 19-193*

Table with 3 columns: Category, FY 2019-20, FY 2020-21. Rows include New Impacts (Revenue, Expenditures, TABOR Refund) and Continuing Program Impacts (Revenue, Expenditures, TABOR Refund).

* Table 1 shows the new impacts resulting from changes to the program under the bill, and the continuing impacts from extending the program beyond its current repeal date. Because the bill continues a program without making significant changes that drive new costs or revenue, there are no new impacts shown. The continuing program impacts will end if the bill is not passed and the program is allowed to repeal.

Summary of Legislation

Under current law, the Colorado Medical Board and the regulation of physicians, physician assistants, and anesthesiologist assistants, which is housed in the Department of Regulatory Agencies (DORA), is scheduled to repeal on July 1, 2019. This bill extends the repeal date to September 1, 2026, and implements some of the recommendations in the sunset review. The bill eliminates the 60-day limit for physicians to practice with a pro bono license; removes the requirement that the board send a letter of admonition through certified mail; adds resorting to fraud to secure a license to practice as an anesthesiologist assistant to the list of unprofessional conduct; and allows the Colorado Medical Board to suspend a medical license if the professional has been formally charged of a crime.

Continuing Program Impacts

Based on the department's FY 2019-20 budget request, DORA is expected to have revenue of \$3,403,999 and expenditures of \$3,403,999 and 9.0 FTE to administer the Colorado Medical Board. If this bill is enacted, current revenue and expenditures will continue for the program starting in FY 2020-21. This continuing revenue is subject to the state TABOR limits; however under the March 2019 Legislative Council Staff Forecast, a TABOR surplus is not expected in FY 2020-21. If this bill is not enacted, the program will end on July 1, 2020, following a wind-down period, and state revenue and expenditures will decrease starting in FY 2020-21 by the amounts shown in Table 1. The changes to the program that drive additional revenue and costs are discussed in the State Expenditures sections below.

State Expenditures

Starting in FY 2019-20, the bill will minimally decrease expenditures, and both minimally increase and decrease for DORA. To the extent DORA no longer uses certified mail to send letters of admonition, costs to DORA will decrease; however, due to the low number of letters sent in the last few fiscal years, the expected decrease in costs will be minimal. To the extent there are less complaints for a doctor with a pro bono license working more than 60 days, workload will decrease. Workload may also increase to the extent the additional unprofessional conduct the bill adds increases complaints to the Medical Board, or if there is an increase in suspensions due to professionals being charged with a crime. The expected changes do not require a change in appropriations.

Effective Date

The bill takes effect July 1, 2019. The bill includes sections that take effect on October 1, 2019, if House Bill 19-1172 becomes law.

State and Local Government Contacts

Corrections	Health Care Policy and Financing	Higher Education
Human Services	Information Technology	Public Health and Environment
Regulatory Agencies		