

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 1257 (HCS)

SHORT TITLE: Amend Respiratory Care Practice Act/Fees

SPONSOR(S): Representatives Tolson and Nye

FISCAL IMPACT					
Yes (X)	No ()	No Estimate Available ()			
<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>	<u>FY 2006-07</u>	<u>FY 2007-08</u>	
REVENUES					
Fines and Forfeitures Fund		Approximately \$3,000 annually			
Respiratory Care Board	\$21,050	* See Assumptions and Methodology *			
EXPENDITURES					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: North Carolina Department of Revenue, North Carolina Respiratory Care Board					
EFFECTIVE DATE: This act is effective when it becomes law.					

BILL SUMMARY: The proposed bill amends various provisions under the Respiratory Care Practice Act, authorizing the North Carolina Respiratory Care Board (the Board) to establish fees for verification of licensure status and approval of continuing education programs. It also allows this Board to increase its fees in future years by an amount up to the cumulative increase in consumer price index since the fee was last altered. The bill also authorizes the Board to assess civil penalties for violations of Article 38 of Chapter 90.

ASSUMPTIONS AND METHODOLOGY: According to the information provided by the Board, there are 3,401 licensed respiratory care practitioners in North Carolina. Of these, 157 practitioners hold provisional licenses. According to the Board, on average, they perform 790 license verifications every year. With a verification fee of \$20, the total annual revenue from providing official verification of licensure status for a fee would constitute \$15,800. In future years, this revenue amount could increase if the Board chooses to alter the fee in accordance with the Consumer Price Index.

The bill proposes to set a maximum fee for approval of continuing education programs at \$150. However, the Board plans to charge \$35 for this service. Based on the data provided by the Board, on average, annually it approves 150 programs, which would generate annual revenue of \$5,250.

With regard to civil penalties, the Board has indicated that there are about twenty major violations of Article 38, Chapter 90 of the General Statutes, such as operating under somebody else's license, which would be considered for the maximum penalty of \$1,000. There are also an identified number of less serious violations that would generate fewer penalties, for which no specific amounts are set. Overall, it is possible to assume that the total amount generated as the result of civil penalties collection would be in the range of \$3,000. According to the proposed bill, this amount would be remitted to the Fines and Forfeiture Fund of the State of North Carolina.

SOURCES OF DATA: North Carolina Respiratory Care Board

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