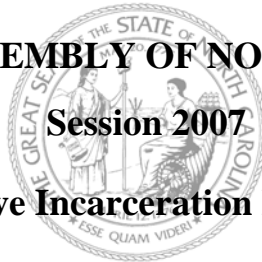


GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2007

Legislative Incarceration Fiscal Note

(G.S. 120-36.7)

BILL NUMBER: House Bill 1492 (Third Edition)

SHORT TITLE: Anesthesiologist Assistants Licensure.

SPONSOR(S): Representatives England and J. Harrell

	FISCAL IMPACT				
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2007-08</u>	<u>FY 2008-09</u>	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>
REVENUES:					
General Fund	No Impact to General Fund				
NC Medical Board	\$3,000	\$4,000	\$5,000	\$6,000	\$7,000
EXPENDITURES:					
Correction	No significant impact is anticipated for the Courts or Corrections. See Assumptions and Methodology.				
Judicial					
TOTAL EXPENDITURES:					
ADDITIONAL PRISON BEDS: (cumulative)*	None anticipated.				
POSITIONS: (cumulative)	None anticipated.				
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	NC Medical Board; Department of Correction; Judicial Branch.				
EFFECTIVE DATE:	When act becomes law.				
<i>*This fiscal analysis is independent of the impact of other criminal penalty bills being considered by the General Assembly, which could also increase the projected prison population and thus the availability of prison beds in future years. The Fiscal Research Division is tracking the cumulative effect of all criminal penalty bills on the prison system as well as the Judicial Department.</i>					

BILL SUMMARY: House Bill 1492 allows for the licensure of anesthesiologist assistants, establishes an initial and annual registration fee of \$150 for anesthesiologist assistants, and includes other regulatory provisions regarding anesthesiologist assistants. In addition, because H.B. 1492 provides for the licensing of anesthesiologist assistants, it thereby subjects them to the offense of practicing medicine without a license under G.S. 90-18 (Class 1 misdemeanor or Class I felony). The bill is effective when it becomes law.

* Senate committee substitute reorganizes provisions in proposed new G.S. 90-18.5(c) – clarifies the number of anesthesiologist assistants and student anesthesiologist assistants an anesthesiologist may supervise.

ASSUMPTIONS AND METHODOLOGY:

LICENSURE: Anesthesiologist assistants (AAs) are allied health professionals who work under the direction of licensed anesthesiologists to develop and implement anesthesia care plans. They possess a premedical background, a baccalaureate degree, and are required to complete a comprehensive didactic and clinical program at the graduate school level.

Under current law, AAs cannot practice in North Carolina, but they currently practice in sixteen other states. States in which AAs work by license, regulation, and/or certification include Alabama, Florida, Georgia, Kentucky, Missouri, New Mexico (in university hospital settings), Ohio, South Carolina, and Vermont. States in which AAs are granted practice privilege through physician delegation include Colorado, the District of Columbia, Michigan, New Hampshire, Texas, West Virginia, and Wisconsin. Nationwide, there are approximately 700 practicing AAs and three graduate-level education and certification programs for AAs that turn out approximately 100 graduates per year.

The NC Association of Anesthesiologists anticipates approximately 30 AAs would seek licensure in North Carolina in 2007-08 and approximately 10 per year in subsequent years if this bill becomes law. In 2006, the NC Medical Board anticipated the actual registration fee for AAs would be set by rule to approximate the current fee for physician’s assistants (\$100). The chart below shows estimated fee revenues resulting from House Bill 1492.

House Bill 1492, Schedule of Proposed Fees				
	Registration Fee		Number of AAs	Total Fees by Type
	Maximum	Actual		
Initial registration	\$150	\$100	40	\$4,000
Annual registration	\$150	\$100	10	\$1,000

The following chart shows projected fee revenues for the NC Medical Board based on the actual fee amounts shown above. The projection assumes 10 new AAs will come to work in North Carolina each year. The base registration and annual growth rate are based on 2006 discussions with representation for the NC Society of Anesthesiologists.

House Bill 1492, Projected Fee Revenues by Fiscal Year					
	2007-08	2008-09	2009-10	2010-11	2011-12
Initial registration	30	10	10	10	10
Annual registration	0	30	40	50	60
Total registrations	30	40	50	60	70
Total fee revenues	\$3,000	\$4,000	\$5,000	\$6,000	\$7,000

CRIMINAL OFFENSE: The proposed licensing of anesthesiologist assistants expands the pool of persons subject to the offense of practicing medicine without a license (e.g. providing anesthesia services as an assistant without valid license). G.S. 90-18 provides that a person who practices without a license is guilty of a Class 1 misdemeanor offense; however, a person who practices and is an out-of-state practitioner who has not been licensed and registered in North Carolina is guilty of a Class I felony. There was only one defendant charged with misdemeanor practicing without a license in CY 2006 (across all professions; there were no felony charges). Similarly, there were no convictions under G.S. 90-18 in FY 2005-06. Accordingly, the proposed licensure is not expected to result in a significant number of additional charges and/or convictions. Any resultant impact on the Courts and Corrections should prove minimal.

SOURCES OF DATA: NC Society of Anesthesiologists; NC Medical Board; American Society of Anesthesiologists; Judicial Branch; North Carolina Sentencing and Policy Advisory Commission.

TECHNICAL CONSIDERATIONS: None

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