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FISCAL NOTE

Drafting Number: LLS 18-0469
Prime Sponsors: Sen. Garcia

Date: January 23, 2018
Bill Status: Senate Business
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Bill Topic: EMERGENCY MEDICAL SERVICE PROVIDERS LICENSING

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

The bill converts the certification of emergency medical service (EMS) providers to licensure. It will increase state expenditures, and potentially state revenue, on an ongoing basis.

Appropriation Summary: For FY 2018-19, the bill requires appropriations of \$60,328 to the Department of Regulatory Agencies and \$16,540 to the Department of Public Health and Environment.

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

Table 1
State Fiscal Impacts Under SB 18-081

Table with 3 columns: Category, FY 2018-19, FY 2019-20. Rows include Revenue, Expenditures (Cash Funds, Centrally Appropriated, Total, Total FTE), and Transfers.

Summary of Legislation

Under current law, emergency medical services (EMS) providers are certified by the Colorado Department of Public Health and Environment (CDPHE). This bill converts the certification program into a licensing program. In addition, EMS providers are required to submit information on licensing history, prior disciplinary action, malpractice suits, and criminal convictions to the Health Professional Profile Program in the Department of Regulatory Agencies (DORA) pursuant to the Michael Skolnik Medical Transparency Act. The bill also clarifies in statute that EMS license applicants must submit to a fingerprint-based criminal history background check conducted by the Federal Bureau of Investigation (FBI).

State Revenue

To the extent the bill increases costs in the CDPHE and DORA, fees on EMS providers and other licensed professionals may increase in the future to cover these costs. At this time, no specific fee increase is anticipated and it is assumed that costs will be paid with available cash fund revenue. In addition, to the extent the clarification of the federal background check requirement results in additional FBI background checks, revenue to the Colorado Bureau of Investigation (CBI) Identification Unit Cash Fund in the Department of Public Safety will increase. At this time, the potential impact cannot be estimated, but it is assumed most applicants currently receive both a CBI and FBI background check.

State Expenditures

The bill increases state cash fund expenditures by \$84,991 and 0.3 FTE in FY 2018-19 and by \$10,328 in FY 2019-20. These costs in the CDPHE and DORA are shown in Table 2 and discussed below.

**Table 2
Expenditures Under SB 18-081**

Cost Components	FY 2018-19	FY 2019-20
Department of Public Health and Environment		
Personal Services	\$16,540	-
Centrally Appropriated Costs*	\$8,123	-
FTE – Personal Services	0.3 FTE	-
CDPHE (Subtotal)	\$24,663	-
Department of Regulatory Agencies		
Data Systems	\$55,000	\$5,000
Legal Services	\$5,328	\$5,328
DORA (Subtotal)	\$60,328	\$10,328
Total	\$84,991	\$10,328
Total FTE	0.3 FTE	-

* Centrally appropriated costs are not included in the bill's appropriation.

EMS licensing updates (CDPHE). The CDPHE will have one-time costs of \$16,540 and 0.3 FTE in FY 2018-19 for staff to update program rules and procedures to reflect the change from certification to licensing. On an ongoing basis, operating costs for the EMS licensing program are not expected to differ from the current program costs. This cost is paid from the Emergency Medical Services Account of the Highway Users Tax Fund.

Health Professional Profile Program (DORA). Under the bill, DORA is required to establish a data sharing connection between the CDPHE's EMS licensing program and the Health Professional Profile Program. This will increase costs by \$55,000 in FY 2018-19 and \$5,000 in FY 2019-20 and future years. This work will be conducted by the Office of Information Technology using reappropriated funds. In addition, it is estimated that DORA will have an additional 50 hours of legal services at a cost of \$5,328 per year to handle various issues arising from EMS providers' submission of information under the Michael Skolnik Medical Transparency Act. These costs are paid from the Division of Professions and Occupations Cash Fund.

FBI background checks (Department of Public Safety). The bill clarifies the background check requirements for EMS providers by requiring that all license applicants complete an FBI fingerprint-based criminal history background check. Current rules in the CDPHE require a Colorado Bureau of Investigation (CBI) background check for applicants who have lived consecutively in Colorado for three or more years, and a combined CBI and FBI background check for all other applicants. Therefore any workload increase to the DPS will be minimal since all applicants currently undergo some type of background check. To the extent that FBI background checks increase, the CBI will have an additional cost to pass fee revenue to the federal government. Any impact is assumed to be minimal and will be addressed through the annual budget process.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$8,123 in FY 2018-19.

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed.

State Appropriations

For FY 2018-19, the bill requires the following appropriations:

- \$16,540 to the CDPHE from the Emergency Medical Services Account of the Highway Users Tax Fund and an allocation of 0.3 FTE; and
- \$60,328 to DORA from the Division of Professions and Occupations Cash Fund, of which \$55,000 is reappropriated to the Office of Information Technology.

State and Local Government Contacts

Counties
Law
Regulatory Agencies

Fire Chiefs
Municipalities
Special Districts

Information Technology
Public Health And Environment