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FISCAL NOTE

Drafting Number: LLS 20-0525 Date: February 10, 2020
Prime Sponsors: Rep. Caraveo; Duran Bill Status: House Health & Insurance
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Bill Topic: SUNSET STATE BOARD OF CHIROPRACTIC EXAMINERS

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

Sunset bill. HB 20-1210 continues the State Board of Chiropractic Examiners in the Department of Regulatory Agencies, which is scheduled to repeal on July 1, 2021. State fiscal impacts include 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, 2029.

Appropriation Summary: No appropriation is required.

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

Table 1 State Fiscal Impacts Under HB 20-1210*

Table with 3 columns: Category, FY 2020-21, FY 2021-22. 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. The continuing program impacts will end if the bill is not passed and the program is allowed to repeal.

Summary of Legislation

This bill extends the repeal of the State Board of Chiropractic Examiners and the regulation of chiropractors until September 1, 2029. The bill also makes the following changes:

- removes the requirement that a board member be a United States citizen;
- removes the requirement that an applicant pass the National Board of Chiropractic Examiners exam and allows the state board to determine the appropriate exam;
- changes the continuing education requirement from 15 hours to 30 hours every 2 years;
- modifies grounds for discipline related to drug and alcohol use, failing to notify the board of any illness that makes the chiropractor unable to render services with reasonable skill and safety, failing to act within the limitations of a physical or mental condition, and failing to comply with limitations agreed under a confidential agreement;
- allows chiropractors to enter into confidential agreements with the Board to limit their practices; and
- allows a chiropractic student to perform chiropractic services if the student is in a course of instruction and a Board-approved school and has the signed written consent from the patient.

Continuing Program Impacts

Based on the department's FY 2018-19 budget, the Department of Regulatory Agencies (DORA) is expected to have revenue and expenditures of \$263,000 to administer the regulation of the chiropractor. If this bill is enacted, current revenue and expenditures will continue for the program starting in FY 2021-22. This continuing revenue is subject to the state TABOR limits. If this bill is not enacted, the program will end on July 1, 2021, following a wind-down period, and state revenue and expenditures will decrease starting in FY 2021-22 by the amounts shown in Table 1. The changes to the program that drive additional revenue and costs are discussed in the State Revenue and State Expenditure sections below. The fiscal note does not identify any change to TABOR refund because the revenue is already accounted for in the LCS revenue forecast.

State Expenditures

Starting in FY 2020-21, workload in the State Board of Chiropractic Examiners will increase to enter into confidential agreements, to establish rules and a consent form for chiropractic students to provide services to a patient, and to hold more disciplinary hearings to the extent there are more professionals in violation of statute. The increased workload can be handled within existing appropriations.

Effective Date

The bill takes effect July 1, 2020.

State and Local Government Contacts

Higher Education

Information Technology

Regulatory Agencies