



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 18-1155

FISCAL NOTE

Drafting Number: LLS 18-0461
Prime Sponsors: Rep. Singer; Liston
Sen. Martinez Humenik

Date: February 12, 2018
Bill Status: House Public Health Care and Human Services
Fiscal Analyst: Bill Zepernick | 303-866-4777
Bill.Zepernick@state.co.us

Bill Topic: SUNSET CONTINUE PHYSICAL THERAPY BOARD FUNCTIONS

Summary of Fiscal Impact:

- State Revenue (*continuation*)
- State Expenditure (*continuation, new*)
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

Sunset bill. HB 18-1155 continues the regulation of physical therapists and physical therapist assistants by the Physical Therapy Board in the Department of Regulatory Agencies, which is scheduled to repeal on September 1, 2018. State fiscal impacts under the bill include the continuation of the program's current revenue and expenditures, as well as a minimal workload impact from changes in the bill. The program is continued through September 1, 2027.

Appropriation Summary: No appropriation is required.

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

Table 1
State Fiscal Impacts Under HB 18-1155*

New Impacts		FY 2018-19	FY 2019-20
Revenue		-	-
Expenditures		-	-
Continuing Program Impacts		FY 2018-19	FY 2019-20
Revenue	Cash Funds	-	\$347,000
Expenditures	Cash Funds	-	\$289,166
	FTE	-	0.9 FTE

* 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. New impacts under the bill are minimal.

Summary of Legislation

This sunset bill continues the licensing of physical therapists and the certification of physical therapist assistants through September 1, 2027. The bill also makes the following changes to the regulation of physical therapy:

- clarifies that physical therapists can make physical therapy diagnoses within their scope of practice;
- adds one physical therapy assistant to the seven-member Physical Therapy Board in place of one physical therapist;
- modifies prohibited practices to clarify that physical therapists must provide adequate supervision to physical therapy assistants and that adverse actions in other states must be reported to the board;
- requires physical therapy assistants to maintain continued competency to practice; and
- removes the requirement that physical therapists operating in Colorado under the Interstate Physical Therapy Licensure Compact Act submit detailed background information pursuant to the Michael Skolnik Medical Transparency Act.

Continuing Program Impacts

Based on its FY 2018-19 budget request, the Department of Regulatory Agencies (DORA) is expected to have expenditures of \$347,000 and 1.1 FTE and average annual revenue of \$347,000 across the two-year license renewal cycle to regulate physical therapists and physical therapy assistants. If this bill is enacted, current revenue and expenditures will continue for the program starting in FY 2019-20. If this bill is not enacted, the program will end on September 1, 2019, following a wind-down period, and state revenue and expenditures will decrease starting in FY 2019-20 by the amounts shown in Table 1. The expenditures in Table 1 are prorated to reflect the September 1, 2019, repeal date. The changes to the program that drive additional workload impacts are discussed in the State Expenditure section.

State Expenditures

In addition to continuing the program, the bill will minimally increase net workload for DORA from several changes in the bill starting in FY 2018-19. First, staff in the Division of Professions and Occupations will need to update rules and conduct outreach with physical therapists concerning the clarifications to the physical therapy scope of practice and supervision responsibilities. Workload may also decrease by a small amount from eliminating the requirement that out-of-state physical therapists submit information under the Michael Skolnik Medical Transparency Act. The overall change in workload is assumed to be minimal and no adjustment in appropriations is required.

Effective Date

The bill takes effect September 1, 2018, assuming no referendum petition is filed.

State and Local Government Contacts

Information Technology Law Regulatory Agencies