



Legislative
Council Staff

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FISCAL NOTE

Drafting Number: LLS 19-0700 **Date:** January 31, 2019
Prime Sponsors: Rep. Mullica; Saine **Bill Status:** House Health & Insurance
 Sen. Marble; Winter **Fiscal Analyst:** Aaron Carpenter | 303-866-4918
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Bill Topic: NURSE PRACTITIONER WORKERS' COMPENSATION

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input checked="" type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure (<i>minimal</i>)	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill allows advanced practice nurses to obtain a level I accreditation in the Colorado workers' compensation system. The bill increases state revenue and workload on an ongoing basis.

Appropriation Summary: No appropriation required.

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

Table 1
State Fiscal Impacts Under HB 19-1105

		FY 2019-20	FY 2020-21
Revenue	Cash Funds	\$6,800	\$6,800
Expenditure		-	-
Transfer		-	-
TABOR Refund	General Fund	\$6,800	-

Summary of Legislation

This bill adds advanced practice nurses with prescriptive authority to the list of professions that can receive level I accreditation in the Colorado workers' compensation system.

Background

Under current law, there are two workers' compensation accreditation levels. Level I accreditation is for physicians, physician assistants who work under a level I accredited physician, dentists, podiatrists, and chiropractors who provide primary care to patients who have been unable to return to work for more than three working days. In order to receive an accreditation, the health professional must take a course administered by the Colorado Department of Labor and Employment (CDLE). For comparison purposes, since 2016, when physician assistants were permitted to obtain the accreditation, 34 physician assistants, on average, received the accreditation per year.

State Revenue

Starting in FY 2019-20, cash fund revenue to the Physicians Accreditation Program Cash Fund in the CDLE will increase by \$6,800 per year. The CDLE charges \$200 to attend the regular or online seminar. According to the Department of Regulatory Agencies, there are currently 5,286 registered advanced practice nurses with prescriptive authority. Based on participation by Physician Assistants, the fiscal note assumes that 34 nurses, per year, will obtain an accreditation through the seminar either in person, or online. Table 2 outlines the revenue impact.

Fee impact on HB19-1105. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. These are the current fee amounts set administratively by the CDLE based on cash fund balance, estimated program costs, and the estimated number of accreditations subject to the fee. Table 2 below identifies the fee impact of this bill.

Table 2
Fee Impact on HB19-1105

Fiscal Year	Type of Fee	Current Fee	Number Affected	Total Fee Impact
FY 2019-20	Course Registration Fee	\$200	34	\$6,800
FY 2019-20 Total				\$6,800
FY 2020-21	Course Registration Fee	\$200	34	\$6,800
FY 2020-21 Total				\$6,800

State Expenditures

Starting in FY 2019-20, the bill will increase workload in several state agencies, by a minimal amount, as discussed below.

Department of Labor and Employment. The bill will increase workload in the CDLE to accommodate additional participants in the Physician Accreditation Program for workers' compensation. Any increase in workload is assumed to be minimal and can be accomplished within existing appropriations.

Department of Regulatory Agencies. To the extent that the bill increases the number of complaints filed with the Board of Nursing or the Division of Professions and Occupations in the Department of Regulatory Agencies, workload for these entities will increase. However, the expected increase in workload is minimal and does not require a change in appropriations.

Administrative courts. To the extent that this bill increases the number of cases against an advanced practice nurse that are filed with an administrative court, workload and costs to the Department of Personnel and Administration will increase. However, the fiscal note assumes that the increase will be minimal and can be accomplished within existing appropriations.

TABOR refunds. The bill is expected to increase state General Fund obligations for TABOR refunds by \$6,800 in FY 2019-20. Under current law and the December 2018 Legislative Council Staff forecast, the bill will correspondingly increase the amount refunded to taxpayers via sales tax refunds on income tax returns for tax year 2020. The state is not expected to collect a TABOR surplus in FY 2020-21.

Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Labor	Information Technology
Law	Public Health and Environment
Personnel	Regulatory Agencies