



Legislative Council Staff
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Final Fiscal Note

Drafting Number: LLS 22-0623 **Date:** July 18, 2022
Prime Sponsors: Sen. Simpson **Bill Status:** Signed into Law
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Bill Topic: **DENTAL HYGIENISTS PEER HEALTH ASSISTANCE PROGRAM**

Summary of Fiscal Impact:

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

The bill creates a dental hygienists peer health assistance program, to be administered by a third-party. Starting in FY 2022-23, the bill increases revenue to the third-party administrator and increases state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Table 1
State Fiscal Impacts Under SB 22-058

		Budget Year FY 2022-23	Out Year FY 2023-24	Out Year FY 2024-25
Revenue	Third Party Administrator ¹	-	\$143,610	\$1,590
Expenditures		-	-	-
Transfers		-	-	-
Other Budget Impacts		-	-	-

¹ The revenue impact estimated in this bill goes to a third-party administrator and not the state. It is shown for informational purposes and to estimate the fee impact on regulated professionals.

Summary of Legislation

The bill creates the Dental Hygienist Peer Health Assistance Program to assist dental hygienists with any physical, emotional, and psychological problems. To administer the program, the Colorado Dental Board within the Department of Regulatory Agencies (DORA) must contract with a third-party entity. To pay for the program, every dental hygienist must pay a fee of up to \$15 per year to the administering entity starting July 1, 2023, as a condition of obtaining an initial license or a renewal license. The board may adjust the fee for inflation every year starting January 1, 2024. The fee revenue is not subject to the state’s TABOR limit.

The bill allows the Dental Board to refer dental hygienists to the peer health assistant program in lieu of disciplinary action. The board may suspend the license of a dental hygienist who fails to attend or complete the program. In addition, dental hygienists must self-refer themselves to the program within 30 days of a drug or alcohol related offense.

State Revenue

Fee impact on dental hygienists. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. The table below identifies the fee impact of this bill. Though the Colorado Dental Board may collect fees payable to the administering entity, the funds are not state revenue and therefore not subject to TABOR. It is shown here for informational purposes and to estimate the fee impact on dental hygienists.

Based on the current fee for dentists to run a peer assistance program (\$50) and the associated costs of running the program, the fiscal note assumes that the fee in this bill will max out at the allowable amount of \$15 per year, or \$30 for two years. License renewals occur every other year and will next occur in FY 2023-24. For licensees that receive their initial license in FY 2024-25, the fiscal note assumes they will pay a \$15 fee for their initial license. The fiscal note assumes that there will be 4,530 license renewals and 257 initial licenses every other year starting in FY 2023-24 and 106 initial licenses in non-renewal years, resulting in revenue of \$145,200 over two years.

Table 2
Fee Impact on Dental Hygienists Under SB 22-058

Fiscal Year	Type of Fee	Proposed Fee	Number Affected	Total Fee Impact
FY 2023-24	Initial License Fee	\$30	257	\$7,710
	Renewal Fee	\$30	4,530	\$135,900
	FY 2023-24 Total			\$143,610
FY 2024-25	Initial License Fee	\$15	106	\$1,590
	FY 2024-25 Total			\$1,590

State Expenditures

Starting in FY 2023-24, workload within DORA will increase to oversee the contract of the third-party program administrator. The fiscal note assumes this work can be accomplished within existing appropriations.

Effective Date

The bill was signed into law by the Governor on June 8, 2022, and takes effect on August 9, 2022, assuming no referendum petition is filed.

State and Local Government Contacts

Information Technology
Personnel

Judicial
Regulatory Agencies

Law