



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 25-1075: REGULATE SPEECH-LANGUAGE PATHOLOGY ASSISTANTS

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**Prime Sponsors:**

Rep. Garcia Sander; Phillips

Sen. Kirkmeyer

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### Summary Information

**Overview.** The bill regulates speech-language pathology assistants in the Department of Regulatory Agencies.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures
- State Revenue
- TABOR Refunds

**Appropriations.** For FY 2025-26, the bill requires an appropriation of \$21,697 to the Department of Regulatory Agencies.

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**Table 1**  
**State Fiscal Impacts**

<b>Type of Impact</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
State Revenue	\$45,000	\$23,300	\$23,700
State Expenditures	\$27,414	\$37,547	\$20,010
Transferred Funds	\$0	\$0	\$0
Change in TABOR Refunds	\$45,000	\$23,300	not estimated
Change in State FTE	0.3 FTE	0.4 FTE	0.2 FTE

**Table 1A  
State Revenue**

<b>Fund Source</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
General Fund	\$0	\$0	\$0
Cash Funds	\$45,000	\$23,300	\$23,700
<b>Total Revenue</b>	<b>\$45,000</b>	<b>\$23,300</b>	<b>\$23,700</b>

**Table 1B  
State Expenditures**

<b>Fund Source</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
General Fund	\$0	\$0	\$0
Cash Funds	\$21,697	\$29,832	\$16,060
Federal Funds	\$0	\$0	\$0
Centrally Appropriated	\$5,717	\$7,715	\$3,950
<b>Total Expenditures</b>	<b>\$27,414</b>	<b>\$37,547</b>	<b>\$20,010</b>
<b>Total FTE</b>	<b>0.3 FTE</b>	<b>0.4 FTE</b>	<b>0.2 FTE</b>

## Summary of Legislation

The bill requires speech-language pathology assistants (SLPA) to be certified by the Division of Professions and Occupations in the Department of Regulatory Agencies (DORA). The bill outlines certification criteria, continuing education requirements, scope of practice, and relevant disciplinary actions.

### Certification

Applicants for SLPA certification must possess a bachelor's degree or higher in a related field, complete a SLPA program, and fulfill at least 100 direct hours of supervised clinical practice to be eligible. Speech-language pathology assistants who are authorized by the Department of Education (CDE) to provide services in schools are not required to be certified by DORA, unless seeking to practice outside of school settings.

### Continuing Education

The bill requires DORA to establish a continuing professional competency for certified SPLAs, and certified SLPAs to complete ten hours of state-approved continuing education activities annually in order to renew or reinstate a certification.

## **Scope of Practice**

Certified SLPAs may not perform speech-language pathology unless under the direction and supervision of a certified speech-language pathologist. Supervising pathologists are required to establish the amount of direct supervision necessary, determine the ratio of supervisors to SLPAs, initiate first contact with patients, and provide feedback to SLPAs on clinical activities.

Additionally, SLPAs are prohibited from performing certain activities, including diagnosing related disorders, developing plans of care, disclosing confidential information, or making referrals, among others.

## **Disciplinary Action**

The bill authorizes DORA to take disciplinary action against SLPAs and supervising speech-language pathologists under certain circumstances. The bill also makes practicing as a speech-language pathology assistant without a certification a class 2 misdemeanor.

The regulation of SLPAs repeals on September 1, 2033, following a sunset review by DORA.

## **Comparable Crime Analysis**

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Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

## **Prior Conviction Data and Assumptions**

This bill creates the new offense of practicing speech-language pathology without a certification as a speech-language pathology assistant, a class 2 misdemeanor. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of practicing massage therapy without a license as a comparable crime. From FY 2021-22 to FY 2023-24, two offenders have been sentenced and convicted for this existing offense; therefore, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill. Visit [leg.colorado.gov/fiscalnotes](https://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

## Assumptions

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The fiscal note assumes that the costs of SLPA regulation will be paid through an annual fee levied on all certified SLPAs in the state. Based on the number of school SLPAs authorized by the Colorado Department of Education, it is assumed that approximately 450 SLPAs operate in the state and will require certification in the first year of implementation. Data from the [U.S. Bureau of Labor and Statistics](#) projects the profession to grow by 18 percent over the next ten years, which equates to eight additional applicants per year beginning in FY 2026-27. Some revenue and expenditures could shift between fiscal years if the program is implemented sooner or later, or if participation differs from these assumptions.

## State Revenue

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The bill increases cash fund revenue by \$45,000 in FY 2025-26 and by about \$23,000 annually beginning in FY 2026-27 to the Division of Professions and Occupations Cash Fund in DORA to cover the costs of implementing and administering the regulatory program. These impacts are shown in Table 2A and 2B, and discussed in more detail below.

**Table 2A**  
**Fee Impact on Speech Language Pathology Assistants**  
**FY 2025-26**

<b>FY 2025-26</b>	<b>Estimated Fee</b>	<b>Number Affected</b>	<b>Total Fee Impact</b>
SLPA Registration Fee	\$100	450	\$45,000
<b>Total Fee Revenue – FY 2025-26</b>			<b>\$45,000</b>

**Table 2B**  
**Fee Impact on Speech Language Pathology Assistants**  
**FY 2026-27 and Future Years**

<b>FY 2026-27</b>	<b>Estimated Fee</b>	<b>Number Affected</b>	<b>Total Fee Impact</b>
SLPA Registration Fee	\$100	8	\$800
SLPA Renewal Fee	\$50	450	\$22,500
<b>Total Fee Revenue – FY 2026-27<sup>1</sup></b>			<b>\$23,300</b>

<sup>1</sup> Revenue will increase further in future years as the regulated population grows.

### **Fee Impact on Speech-Language Pathology Assistants**

Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. In FY 2025-26, DORA will collect \$45,000 in initial SLPA registration fees from 450 assumed applicants. The fiscal note estimates a registration fee of \$100 to cover implementation costs incurred in the first year.

Beginning in FY 2026-27 and every year thereafter, DORA will collect \$800 in new registration fees and about \$23,000 in renewal fees from SLPAs. As shown in Table 2, the fiscal note estimates a reduced average fee of \$50 for renewals to cover reoccurring costs to administer the program. These proposed fees are estimates only; actual fees will be set administratively by DORA based on cash fund balance, estimated program costs, and the estimated number of certificate holders subject to the fee.

### **State Expenditures**

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The bill increases state expenditures in DORA by about \$27,000 in FY 2025-26, \$38,000 in FY 2026-27, and \$20,000 in 2027-28, paid from the Division of Professions and Occupations Cash Fund. Workload may also minimally increase in the Judicial Department and Department of Personnel and Administration. Expenditures are shown in Table 3 and detailed below.

**Table 3  
State Expenditures  
Department of Regulatory Agencies**

<b>Cost Component</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
Personal Services	\$21,397	\$29,532	\$15,760
Investigative Consultant	\$300	\$300	\$300
Centrally Appropriated Costs	\$5,717	\$7,715	\$3,950
<b>Total Costs</b>	<b>\$27,414</b>	<b>\$37,547</b>	<b>\$20,010</b>
<b>Total FTE</b>	<b>0.3 FTE</b>	<b>0.4 FTE</b>	<b>0.2 FTE</b>

### **Department of Regulatory Agencies**

DORA will incur costs to implement the bill beginning in FY 2025-26, paid from the Division of Professions and Occupations Cash Fund.

#### **Administration**

Starting in FY 2025-26, DORA requires 0.2 FTE Technician III to review SLPA applications, process endorsements, and monitor enforcement actions. This reduces to 0.1 FTE annually beginning in FY 2027-28. In addition, DORA requires 0.1 FTE Program Management I to implement and oversee the program.

## Enforcement

Beginning in FY 2025-26 and on an ongoing basis, DORA requires an estimated \$300 to hire an investigative consultant to assist with at least one formal complaint. In FY 2026-27, DORA requires 0.1 FTE Criminal Investigator III to conduct witness interviews, gather evidence, and generate reports from increased complaints related to unlicensed and unsupervised SLPAs. The fiscal note assumes an increase in complaints consistent with the increase in providers and current time to handle complaints.

## Legal Services

DORA may require legal services, provided by the Department of Law, which can be accomplished within existing legal services appropriations. Legal counsel is related to implementation and ongoing administration of the program.

## Other Agency Impacts

Starting in FY 2025-26, trial courts in the Judicial Department may experience an increase in workload to adjudicate civil cases or appeals for provider noncompliance. The bill may also increase workload in the Department of Personnel and Administration for administrative law judges in the Office of Administrative Courts to hear cases challenging disciplinary actions by DORA. This workload is expected to be minimal and no change in appropriations is required.

## 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 may include employee insurance, supplemental employee retirement payments, leased space, and indirect cost assessments, are shown in the expenditure table(s) above.

## TABOR Refunds

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The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by the amounts shown in the State Revenue section above. This estimate assumes the December 2024 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2026-27. Because TABOR refunds are paid from the General Fund, increased cash fund revenue will reduce the amount of General Fund available to spend or save.

## Effective Date

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The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## **State Appropriations**

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For FY 2025-26, the bill requires an appropriation of \$21,697 from the Division of Professions and Occupations Cash Fund to the Department of Regulatory Agencies, and 0.3 FTE.

## **State and Local Government Contacts**

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Judicial

Regulatory Agencies

Law