

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3004-03  
Bill No.: SB 844  
Subject: Boards, Commissions, Committees, Councils; Optometry; Physicians; Health Care; Health Care Professionals; Licenses - Professional  
Type: Original  
Date: March 11, 2004

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Department of Conservation (MDC)** state this proposal would not appear to have fiscal impact on MDC funds.

Officials from the **Department of Economic Development - Division of Professional Registration** assume this proposal, in its present form, will require no additional appropriation.

Officials from the **Department of Insurance** and the **Department of Social Services - Division of Medical Services** state this proposal will have no fiscal impact on their respective agencies.

Officials from the **Department of Transportation** stated this proposal pertains to eye care providers only and does not apply to the Highway and Patrol Medical Plan; therefore, there is no fiscal impact to the Missouri Highway and Transportation Commission or the Department of Transportation.

Officials from the **Office of Attorney General (AGO)** assume that because this provision would require the Board of Healing Arts and Board of Optometry to promulgate rules and enforce provisions against licensees, the AGO would be required to assist in the rule-making process and licensing matters. The AGO assumes that any potential costs arising from this proposal can be absorbed with existing resources.

ASSUMPTION (continued)

Officials from the **Secretary of State's Office (SOS)** assumed the rules, regulations and forms issued by the Board of Healing Arts and the Board of Optometry could require as many as 8 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the Code because cost statements, fiscal notes and the like are not repeated in the Code. These costs are estimated. The estimated cost of a page in the *Missouri Register* is \$23. The estimated cost of a page in the *Code of State Regulations* is \$27. The actual costs could be more or less the SOS's estimated cost of \$492 for FY 2005. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules, filed, amended, rescinded or withdrawn.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

According to officials from the **Missouri Consolidated Health Care Plan**, this proposal may require plans to enter into new contracts for co-management arrangements. This cost is anticipated to be minimal if the charges between providers are split rather than increased. If a member opts for this arrangement and both providers are in the network, no significant fiscal impact is anticipated.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal authorizes the practice of surgical co-management under certain conditions relating to the informed consent of patients and the burden of having operating surgeons responsible for preoperative and postoperative care. Co-managing eye care providers are prohibited from receiving a percentage of the global surgical fee that exceeds the relative value of their services provided. Patients are required to sign forms indicating they understand the financial arrangements between eye care providers, the provider's license status and qualifications, their right to receive care from other providers, and their right to accept or decline participation in the co-management arrangement.

Nothing in the proposal requires participation of any eye care provider co-management arrangements and nothing will limit tort liability of eye care providers in regard to patient care.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General  
Department of Economic Development  
    Division of Professional Registration  
Department of Transportation  
Department of Public Safety  
    Missouri Highway Patrol  
Missouri Consolidated Health Care Plan  
Department of Insurance  
Department of Conservation  
Office of Secretary of State  
    Administrative Rules Division  
Department of Social Services  
    Division of Medical Services



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