

PREPARED BY: Liz Hruska  
 DATE PREPARED: February 22, 2021  
 PHONE: 402-471-0053

**LB 392**

Revision: 00

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2021-22</b>		<b>FY 2022-23</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	\$10,000		\$4,800	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$10,000		\$4,800	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill creates the Prescribing Psychologist Practice Act. Psychologists would need to be certified to prescribe drugs. The five-member Prescribing Psychologist Advisory Board is created.

The estimated travel costs for the advisory board is \$10,000 in FY 2022 and \$4,800 in FY 2023. The costs would be paid from licensing fees.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
LB: 392	AM:	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services	
REVIEWED BY: Ann Linneman	DATE: 2-10-2021	PHONE: (402) 471-4180	
COMMENTS: The Nebraska Department of Health and Human Services' analysis and estimate of fiscal impact to the department appears reasonable.			

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Mike Michalski

Date Prepared 2-9-2021

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	<u>FY 2021-2022</u>		<u>FY 2022-2023</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
<b>GENERAL FUNDS</b>				
<b>CASH FUNDS</b>	\$10,000	\$0	\$4,800	\$9,375
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$10,000	\$0	\$4,800	\$9,375

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

**Explanation of Estimate:**

LB 392 creates the Prescribing Psychologist Practice Act. The act establishes a prescription certification that applies to licensed Psychologists. LB 392 also creates the Prescribing Psychology Advisory Committee (PPAC). The PPAC, the Board of Psychology and the Department of Health and Human Services (DHHS) will be required to promulgate new rules and regulations as outlined in LB 392.

This estimate includes \$150 of travel and lodging and a \$50 per diem per day for six (6) newly appointed PPAC members including one (1) ex-officio member; as well as the seven (7) existing Board of Psychology members for additional meetings with the PPAC.

The estimated number of meetings required for the PPAC is six (6) for the first year of enactment and four (4) in subsequent years. The estimated number of additional meetings for the Board of Psychology is two (2) for the first year of enactment. Any business conducted by the Board of Psychology in subsequent years related to LB 392 are estimated to be added to a regular meeting agenda. These meetings would also include DHHS staff time and resources. The Department of Health and Human Services will absorb staff time associated with development and adoption of new rules and regulations for attending six (6) meetings for the first year as follows:

Title	Hours	Hourly Cost	Absorbed Cost
Director	4	74.28	\$ 297
Deputy Director	4	53.48	\$ 214
Administrator I	4	30.82	\$ 123
Program Specialist	8	22.52	\$ 180
Program Analyst	16	21.91	\$ 351
Attorney III	30	33.82	\$ 1,015
Subtotal per Meeting X 6	66		\$ 2,180
Total Absorbed Costs			\$ 13,080

The above absorbed cost is for six (6) full meetings. It is not expected that all of the above staff would be required to attend all meetings.

DHHS estimates the cost of reimbursements and per diem for board and committee members to be \$14,800 per the following breakdown:

Prescribing Psychologist Advisory Committee:

First year: \$200 x 6 members x 6 meetings = \$7,200

Subsequent years: \$200 x 6 members x 4 meetings = \$4,800

Board of Psychology:

First year only: \$200 x 7 members x 2 meetings = \$2,800

FY 2021-2022 Meeting Costs	\$10,000
<u>FY 2022-2023 Meeting Costs</u>	<u>\$4,800</u>
Total associated development costs	\$14,800

DHHS will also incur costs to create the application and verification forms, adding the new certificate credential to the licensing software system and perform additional staff work to process applications. These tasks will be performed by existing staff. It is expected that the costs for initial rules and regulations development, the implementation and the processing of certification applications will be offset by certification fees collected under the Uniform Credentialing Act.

Estimated Cash Revenue: The certificate fee is estimated to be set at \$75 each biennially, which is aligned with similar professions that authorize a licensee to possess an add on certificate. Currently, there are 559 Nebraska licensed Psychologists and 52 Nebraska Provisionally licensed Psychologists. This estimate is based upon 75 of these as currently qualified to apply for the certificate and another 50 licensed Psychologists applying for certification or provisional certification. Therefore, this estimate is based on the fee being established at \$75 each and approximately 125 certificates being issued the first year with renewals to be processed every two years in conjunction with Psychologist License renewals. Subsequent mid-biennial years would require minimal work and have minimal revenue..

Estimated Revenue: 125 applicants x \$75 fee = \$9,375

This fiscal note is based on the Prescribing Psychologists Practice Act development and implementation occurring during the first year of the FY2021-2022 biennium; and that fees would be collected with applications for certifications accepted during the FY2022-2023 for issuance with the January 1, 2023 Licensed Psychologists renewal deadline. Biennial renewals for this year have already taken place for the January 1, 2021 through December 31,2022 issuance.

The above costs and revenue would become part of Program 178 – Professional Licensing.

<b>MAJOR OBJECTS OF EXPENDITURE</b>				
PERSONAL SERVICES:				
POSITION TITLE	NUMBER OF POSITIONS		2021-2022 EXPENDITURES	2022-2023 EXPENDITURES
	21-22	22-23		
Benefits.....				
Operating.....				
Travel.....			\$10,000	\$4,800
Capital Outlay.....				
Aid.....				
Capital Improvements.....				

TOTAL.....

\$10,000

\$4,800

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