



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** H.B. 373 of the 131st G.A.

**Date:** January 26, 2016

**Status:** As Introduced

**Sponsor:** Reps. LaTourette and Huffman

**Local Impact Statement Procedure Required:** No

**Contents:** To regulate the practice of surgical technologists

### State Fiscal Highlights

- The bill creates the surgical technologist license under the State Medical Board. The Board could receive an estimated \$450,000 to \$600,000 in license fee revenue. In addition, there would be administrative costs to process surgical technologist license applications.
- Under the bill, there would be administrative costs to send the notices and to process surgical technologist license renewals. These costs would be partially offset by a gain in license renewal fee revenue. The Board could gain an estimated \$300,000 to \$400,000 in license renewal fee revenue every two years after initial licenses are issued.
- The bill permits a surgical technologist license to be reinstated within two years of its suspension with a \$100 license renewal fee and a \$25 penalty. If a license has been suspended for more than two years, the bill permits a surgical technologist license to be restored with a \$100 license renewal fee, a \$50 penalty, and satisfactory completion of a criminal records check. There would be a gain in license fee revenue for each license renewal or reinstatement. The amount of revenue gained would depend on the number of reinstatements and restorations. There would also be an increase in administrative costs to process the reinstatements and restorations.
- The bill requires the State Medical Board, upon receipt of an application and payment of a \$35 fee, to issue a duplicate license to a surgical technologist to replace one that is missing or damaged, to reflect a name change, or for any other reasonable cause. There could be a minimal increase in costs to issue a duplicate license; however, these costs would be at least partially offset by a gain in duplicate license fee revenue.
- The bill authorizes the State Medical Board to take disciplinary actions against a surgical technologist license holder or applicant. These disciplinary actions include imposing a civil penalty of not more than \$20,000. As a result, there could be an

increase in costs and revenue to the Board if additional investigations and disciplinary hearings are required.

## **Local Fiscal Highlights**

- No direct fiscal effect on political subdivisions.
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## **Detailed Fiscal Analysis**

### **Surgical technologist license issuance and renewal**

The bill creates the surgical technologist license under the State Medical Board. The bill outlines the scope of practice for a surgical technologist and the eligibility requirements for licensure. A person seeking a license to practice as a surgical technologist must submit an application and pay a \$150 application fee. The Board must review all complete applications within 60 days and issue a license to the applicant if the requirements are met. A license is valid for two years. There are approximately 3,000 to 4,000 surgical technologists in Ohio. Therefore, the Board could initially receive an estimated \$450,000 to \$600,000 in license fee revenue (3,000 to 4,000 applicants x \$150). Revenue would be deposited into the State Medical Board Operating Fund (Fund 5C60). In addition, there would be administrative costs to process surgical technologist license applications.

The bill requires a person seeking to renew a surgical technologist license to submit on or before January 31 of each even-numbered year the license renewal application and pay a \$100 application fee. The bill requires the State Medical Board to send notice of a surgical technologist license expiration to the license holder 30 days prior to expiration. Renewals would be between 3,000 and 4,000 every two years. There would be administrative costs to send the notices and to process surgical technologist license renewals. These costs would be partially offset by a gain in license fee revenue. The Board could gain an estimated \$300,000 to \$400,000 in license renewal fee revenue (3,000 to 4,000 applicants x \$100) every two years after initial licenses are issued. Revenue would be deposited in the State Medical Board Operating Fund (Fund 5C60).

### **License reinstatement and restoration**

If a license is not renewed on or before its expiration date, the license is automatically suspended. The bill permits a surgical technologist license to be reinstated within two years of its suspension with the submission of a complete license renewal application, the \$100 renewal application fee, and a \$25 penalty. If a license has been suspended for more than two years, the bill permits a surgical technologist license to be restored upon submission of a complete restoration application, the \$100 license renewal fee, a \$50 penalty, and satisfactory completion of a criminal records check.

There would be a gain in license fee revenue for each license renewal or reinstatement. The amount of revenue gained would depend on the number of reinstatements and restorations. Revenue would be deposited in the State Medical Board Operating Fund (Fund 5C60). There would also be an increase in administrative costs to process the reinstatements and restorations.

### **Duplicate licenses**

The bill requires the State Medical Board, upon receipt of an application and payment of a \$35 fee, to issue a duplicate license to a surgical technologist to replace one that is missing or damaged, to reflect a name change, or for any other reasonable cause. There would be a minimal increase in costs to issue a duplicate license. These costs would be at least partially offset by a gain in duplicate license fee revenue. Revenue would be deposited in the State Medical Board Operating Fund (Fund 5C60).

### **Disciplinary action and prohibition of unlicensed practice**

The bill authorizes the State Medical Board to take disciplinary actions against a surgical technologist license holder or applicant and outlines the reasons for taking those disciplinary actions. These disciplinary actions include imposing a civil penalty of not more than \$20,000. Any action taken by the Board would require a disciplinary hearing. Any penalty revenue collected by the Board would be deposited into the State Medical Board Operating Fund (Fund 5C60). There could be an increase in costs to the Board if additional investigations and disciplinary hearings are required.

Beginning two years after the bill's effective date, unlicensed practice or use of the title of surgical technologist is guilty of a first degree misdemeanor for the first offense and a fifth degree felony for each subsequent offense. The maximum penalty for a first degree misdemeanor is 180 days in jail, a \$1,000 fine, and five years of probation; the maximum penalty for a fifth degree felony is 12 months in prison, \$2,500 fine, and ten years of probation.