



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** S.B. 300 of the 131st G.A.

**Date:** May 10, 2016

**Status:** As Introduced

**Sponsor:** Sen. Seitz

**Local Impact Statement Procedure Required:** No

**Contents:** To authorize certain psychologists to prescribe psychotropic and other drugs for the treatment of drug addiction and mental illness

### State Fiscal Highlights

- The bill creates a certificate to prescribe for a psychologist under the State Board of Psychology. There would be costs of approximately \$2,000 for board payroll and travel expenses to implement rules during the first year. In addition, there will also be a minimal gain in certificate fee revenue and a corresponding minimal increase in administrative costs to process the certificates.
- The bill requires the Board to renew a certificate to prescribe. There will likely be a minimal gain in renewal revenue in each biennium, as well as a corresponding minimal increase in administrative costs to process renewals.
- The bill adds several additional grounds for which the Board can pursue disciplinary action against a psychologist. If additional investigations and disciplinary hearings are required, there will be an increase in administrative costs to the Board.
- The bill requires a psychologist holding a certificate to prescribe to certify to the State Board of Pharmacy that he or she has been granted access to the Ohio Automated Rx Reporting System (OARRS). There could be a minimal cost to the State Board of Pharmacy to grant additional access to certificate holders.

### Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

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## Detailed Fiscal Analysis

The bill creates a certificate to prescribe for a psychologist under the State Board of Psychology. The bill outlines the requirements for the application for a certificate, which includes a \$50 application fee. The bill requires the Board to review all applications it receives. If an application is complete and the Board determines that the applicant meets the requirements for a certificate, the Board must issue the certificate to the applicant. A certificate is valid for two years. There will be one-time costs of approximately \$2,000 for board payroll and travel expenses to implement rules during the first year. The Board will realize a minimal gain in certificate revenue and a corresponding minimal increase in administrative costs to process certificates received. The Board estimates that there could be approximately 20 to 30 applications to prescribe annually, for an estimated revenue gain of \$1,000 to \$1,500 ( $\$50 \times 20$  to  $\$50 \times 30$ ) annually. The costs associated with processing certificates, as well as the revenue generated, will depend on the number of certificates sought.

The bill requires the Board to renew a certificate to prescribe according to procedures and a renewal schedule specified in rules. The bill states the information the applicant must submit, including a renewal fee specified in rules. There will likely be a minimal gain in renewal revenue in each biennium and a corresponding minimal increase in administrative costs to process certificate renewals. The total amount will depend on the renewal fee amount specified in rule and the number of certificate renewal applications sought.

The bill adds several additional grounds for which the Board can pursue disciplinary action against a psychologist. These include automatic suspension of a certificate to prescribe if the psychologist's license to practice psychology expires or is suspended; selling, giving away, or administering drugs or therapeutic devices for other than legal or legitimate therapeutic purposes; failure to comply with the bill's requirements concerning the review of patient information in the Ohio Automated Rx Reporting System (OARRS); and failure to comply with law governing opioid analgesic prescriptions issued to minors. If additional investigations and disciplinary hearings are required, there will be an increase in administrative costs to the Board. According to the Board, if an expert witness is required for an investigation or disciplinary hearing, the cost could be \$300 to \$450 per hour.

The bill extends to a certificate prescriber who prescribes opioid analgesics and benzodiazepines and seeks certificate renewal, the same requirements other prescribers must currently follow, including certifying to the State Board of Pharmacy that he or she has been granted access to OARRS. There could be a minimal cost to the State Board of Pharmacy to grant additional access to certificate holders.

Lastly, the bill makes conforming changes to criminal drug laws, pharmacy laws, public health emergency laws, and other laws associated with granting limited prescriptive authority to psychologists.

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