

BDR 54-446
AB 198

BOARDS AND COMMISSIONS
FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: March 10, 2023

Agency Submitting: Boards and Commissions

Items of Revenue or Expense, or Both	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Effect on Future Biennia
Total	0	0	0	0

Explanation

(Use Additional Sheets of Attachments, if required)

Name _____

Title _____

Board and Commission Responses
AB198 / BDR 54 - 446

Board: Board of Medical Examiners Approved by: Edward Cousineau, Executive Director Comment:				
Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
No Impact	\$0	\$0	\$0	\$0

Board: Board of Dispensing Opticians Approved by: Corinne Sedran, Executive Director Comment: Section 13 of this bill would require our agency to create a process for registering out-of-state providers as licensed telehealth providers. Our agency would need to create an online application and restructure our database to accommodate this new type of licensure. We would also need to determine how to monitor these new license holders. This would probably require a regulatory change. The cost for additional staff time and IT support cannot be determined at this time.				
Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
Cannot Be Determined	\$0	\$0	\$0	\$0

Board: Board of Environmental Health Specialists Approved by: Loretta Ponton, Executive Director Comment: The Board has reviewed the proposed legislation and determined that there will be no fiscal impact.				
Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
No Impact	\$0	\$0	\$0	\$0

Board: Board of Massage Therapy Approved by: Sandra Anderson, Executive Director Comment: The agency has reviewed the bill and determined that there is no fiscal impact.				
Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
No Impact	\$0	\$0	\$0	\$0

Board: **Board of Occupational Therapy**

Approved by: Loretta Ponton, Executive Director

Comment: The Board has reviewed the proposed legislation and has determined there will be a fiscal impact. The addition of a new registration type will require updates to the licensing database which are estimated at \$12,000 for contract services and \$3,000 for additional services necessary to implement the new registration types for occupational therapists and occupational therapy assistants.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
Has Impact	\$0	\$12,000	\$3,000	\$0

Board: **Board of Psychological Examiners**

Approved by: Laura M. Arnold, Executive Director

Comment:

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
No Impact	\$0	\$0	\$0	\$0

Board: **Chiropractic Physicians' Board of Nevada**

Approved by: Julie Strandberg, Executive Director

Comment: The agency has reviewed the bill and determined that there is no fiscal impact.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
No Impact	\$0	\$0	\$0	\$0

Board: **Nevada Physical Therapy Board**

Approved by: Charles D. Harvey, Executive Director

Comment: The agency has reviewed this bill and determined that there is no fiscal impact.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
No Impact	\$0	\$0	\$0	\$0

Board: Nevada State Board of Optometry

Approved by: Caren C. Jenkins, Executive Director

Comment: This measure requires the Optometry Board to create a method by which it can register out-of-state telehealth providers beginning October 1, 2023. To do so, the Board must create and add a form to its existing website so such providers might register to provide services to patients located in Nevada. The Board also will need to create a mechanism for enforcement of the telehealth requirements, revise its related regulations and board policies, and update its educational materials. To create and integrate the registration form, the current web-based system will need to be revised one time only, costing approximately 4 hours of software revision @ \$200 per hour.

The Board would need to set a registration fee for telehealth registration. Presumably, the fee would be commensurate with the cost of staff time to implement administer and enforce the program, and may be similar to the current optometry license fee of \$750 every two years. No reliable information is available to estimate the number of out-of-state optometrists who might register; therefore, the revenue and expenses related to this measure cannot be readily determined.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
Has Impact	\$0	\$800	\$0	\$0

Board: Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board

Approved by: Jennifer Pierce, Executive Director

Comment: Cannot be determined as it is unclear whether this bill will result in a mandate for the Board to offer registration as a new alternative to licensure for an out-of-state telehealth provider. As telehealth is already offered through licensure by this Board pursuant to NRS 637B.244, registration for practitioners under this Board's jurisdiction would not be necessary.

This Board's existing NRS includes a provision for telehealth that requires licensure: NRS 637B.244 Telepractice: Requirements for practice. 1. A person who engages in the practice of audiology or speech-language pathology by telepractice within this State and is a resident of this State or provides services by telepractice to any person in this State must: (a) Hold a license to engage in the practice of audiology or speech-language pathology, as applicable, in this State.

This Board's existing NRS (637B.203 and 637B.204) also provides authority to issue an Expedited license by Endorsement to practice audiology or speech-language pathology for applicants (including those who are military-affiliated) holding a corresponding valid and unrestricted license in the District of Columbia or any state or territory of the United States. The Board's existing licensure by endorsement process mirrors the registration activities described in Section 13, and administrative and disciplinary activities described in Sections 13-15. As such, the benefit of registration vs. licensure to a provider may be minimal if the Board determines it is necessary to pursue a registration fee through regulation that is commensurate with current licensing fees as allowed in Section 13 (2).

There will be a fiscal impact should the Board be mandated to offer registration as an alternative. Potential expenses cannot be reasonably calculated at this time as these costs would include both initial and ongoing administrative and licensing system configuration costs that may be mitigated by as-yet-unknown registration fees.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
Cannot Be Determined	\$0	\$0	\$0	\$0

Board: State Board of Nursing

Approved by: Cathy Dinauer, Executive Director

Comment: The agency has reviewed the bill and determined that there will be no fiscal impact because the Bill specifically allows for the establishment, by regulation, of a registration fee that reflects the expected costs of registration, investigation, and disciplinary actions.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
No Impact	\$0	\$0	\$0	\$0

Board: **State Board of Oriental Medicine**

Approved by: Merle Lok, Executive Director

Comment: The telehealth provisions would increase the number of work hours to implement, monitor and track the requirements of the in-state and out-of-state telehealth practitioners.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
Has Impact	\$0	\$2,000	\$2,000	\$2,000

Board: **State Board of Osteopathic Medicine**

Approved by: Frank DiMaggio, Executive Director

Comment: The agency has reviewed this bill and has determined that there will be a fiscal impact upon the Nevada Board of Osteopathic Medicine ("the Board"). The bill requires a new class of registration for telehealth providers pursuant to the Uniform Telehealth Act necessitating the creation of such registration in the Board's proprietary licensing system. This would require the customization by its licensing system vendor at an estimated cost of \$4,000. Hiring of one additional staff member would be required in order to advise and assist the vendor regarding registration requirements, to develop appropriate registration application and renewal forms, to develop appropriate fee structures for initial and renewal registrations, and to develop, implement, and maintain registration functions and regulatory and disciplinary oversight processes and procedures. The estimated cost of an additional staff member is \$22,500 per year beginning FY2023-24. The bill also requires development of appropriate regulations costing the Board an estimated \$7,500 for contract Board Counsel time to draft regulations, conduct workshops and prepare final proposed regulations. Miscellaneous cost estimates are \$3,000. As it would be difficult to determine exactly how much of the above expenses would be incurred in FY2022-23 and FY2023-24, those costs will be equally divided between those two fiscal years. As the Board currently does not have established registration or renewal fees for this new category of telehealth providers, and since the number of such registrations is undetermined, an estimate of revenue from initial registration and registration renewals is not possible.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
Has Impact	\$7,250	\$29,750	\$22,500	\$22,500

Board: **State Board of Pharmacy**

Approved by: Peter Keegan, General Counsel

Comment: The Nevada State Board of Pharmacy is unable to determine the fiscal impact of this bill until the population of Certified Registered Nurse Anesthetists who will be required to obtain a controlled substance registrants under NRS 453 is ascertained.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
Cannot Be Determined	\$0	\$0	\$0	\$0

Board: **State Board of Podiatry**

Approved by: Carolyn J. Cramer, Executive Director

Comment: We have reviewed the proposed legislation and determined that there is no fiscal impact.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
No Impact	\$0	\$0	\$0	\$0

Board: **Board of Dental Examiners of Nevada**

Approved by: David Lee, President, NSBDE

Comment: This agency has reviewed this bill and has determined there appears to be no fiscal impact.

Impact	FY 2022-23	FY 2023-24	FY 2024-25	Future Biennia
No Impact	\$0	\$0	\$0	\$0