

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 5053 SB	<b>Title:</b> Behavioral health licensure	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2020	FY 2021	2019-21	2021-23	2023-25
Health Professions Account-State 02G-1	260,000	265,000	525,000	553,000	583,000
<b>Total \$</b>	260,000	265,000	525,000	553,000	583,000

### Estimated Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.3	3.0	1.7	2.8	2.8
<b>Account</b>					
General Fund-State 001-1	12,000	0	12,000	0	0
Health Professions Account-State 02G-1	22,000	305,000	327,000	562,000	562,000
<b>Total \$</b>	34,000	305,000	339,000	562,000	562,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

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## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

Section 1: Adds to RCW 18.205.100 – Educational programs and alternative training, the requirements for approved supervision towards certification must be the same for all applicants in the regular or alternative training pathway for the behavioral health workforce. Allows licensed social workers and licensed mental health counselors who have at least one year of experience in substance use treatment to supervise Chemical Dependency Professionals (CDP) and Chemical Dependency Professional Trainees (CDPT).

Section 2: This bill changes the time an Agency Affiliated Counselor can practice while license is pending from sixty days to “within a reasonable time period” as determined by the Department of Health (department).

Section 3: This bill requires the department to conduct a sunrise review to evaluate the need for creation of a bachelor’s level behavioral health professional credential which includes competencies related to treatment of both substance use and mental health disorders appropriate to bachelor’s level of education.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

Current law RCW 43.70.250 requires that the health professions administered by the Department of Health (department) be fully self-supporting and that sufficient revenue be collected through fees to fund expenditures in the Health Professions Account. The department does see the likely need to adjust fee levels as a result of this bill. The department will monitor the fund, and will adjust fees over a six (6) year period to ensure that the fees are sufficient to cover all expenditures.

For the purpose of this fiscal note, the department estimates a fee range of \$10 - \$15 increase to cover the costs of implementing the changes for Chemical Dependency Professional and Chemical Dependency Professional Trainee.

Estimated based on current growth number of Chemical Dependency Professionals and Chemical Dependency Professional Trainees licenses are as follows:

FY2021 – 5,036 applications and renewals	\$ 36,000
FY2022 – 5,107 applications and renewals	\$ 36,000
FY2023 – 5,178 applications and renewals	\$ 37,000
FY2024 – 5,251 applications and renewals	\$ 37,000
FY2025 – 5,324 applications and renewals	\$ 38,000
FY2026 – 5,399 applications and renewals	\$ 38,000

For the purpose of this fiscal note, the department estimates a fee range of \$20 - \$25 increase to cover the costs of implementing the changes Agency Affiliated Counselor.

Estimated number of Agency Affiliated Counselor licenses is as follows:

FY2021 – 9,317	applications and renewals	\$224,000
FY2022 – 9,532	applications and renewals	\$229,000
FY2023 – 9,751	applications and renewals	\$234,000
FY2024 – 9,975	applications and renewals	\$245,000
FY2025 – 10,205	applications and renewals	\$251,000
FY2026 – 10,439	applications and renewals	\$256,000

## II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

### Rulemaking

Section 1: In FY 2020, there will be one-time costs for rulemaking to update the rules on supervision for chemical dependency professionals and chemical dependency professional trainees. This will include two (2) stakeholder meetings and one formal rules hearing; all meetings will be held in free facilities. Costs include staff-time, travel, and Office of Attorney General support in the amount of \$1,500 and related costs. In FY 2020, total will be 0.10 FTE and \$11,000.

Section 2: In FY 2020, there will be one-time costs for rulemaking to modify the agency affiliated counselors ability to practice while waiting for a license from 60 days to “within a reasonable time period” as determined by the department. This will include two (2) stakeholder meetings and one formal rules hearing; all meetings will be held in free facilities. Costs include staff-time, travel, and Office of Attorney General support in the amount of \$1,500 and related costs. In FY 2020, total will be 0.10 FTE and \$11,000.

### Sunrise Review

Section 3: In FY 2020, there will one-time costs for conducting a sunrise review. This will include initial review of applicant report materials, posting to the department website, inviting interested parties to submit comments and provide notice of a public hearing. The department will draft the report after receiving input from the applicant group and other interested parties. Costs include staff and associated costs. In FY 2020, total will be 0.10 FTE and \$12,000.

### Health Technology Services

Section 1 & 2: Health Technology Services (HTS) staff will be required to modify the Integrated Licensing and Regulatory System (ILRS) to add additional supervision requirements for the CDPT credential type, add new user defined fields for tracking and new workflow for Agency Affiliated Counselor profession. Create new ILRS reports and make minor modifications to the existing Online Licensing and Information Collection (OLIC) applications. In FY 2021, costs will total 0.1 FTE and \$10,000. In FY 2022 and ongoing, costs will total \$3,000.

### Office of Customer Service

Section 1: This bill clarifies the supervision requirements for the CDPs and CDPTs and expands qualifying supervisors to include licensed social workers and mental health counselors. In FY 2021, costs will be 0.4 FTE and \$42,000. In FY 2022 and ongoing, costs will be 0.3 FTE and \$34,000.

Section 2: This bill amends the Agency Affiliated Counselor statute eliminating the allowance of sixty days to a reasonable time frame in working without a license. This will increase questions from credential holders and the creation of a Brief Adjudicatory Process (BAP) for applicants working after the reasonable time frame. In FY 2021, costs will be 1.1 FTE and \$116,000. In FY 2022 and ongoing, costs will be 1.1 FTE and \$112,000.

### Disciplinary Process

Section 2: The department assumes that 15% of the agency affiliated counselor holders (2,504) will fail to comply with the requirement to submit complete documentation in a reasonable time frame. For those failing to comply, the department will send a Notice of Determination (NOD) letter. This letter notifies the recipient of the deficiency of incomplete documentation. The letter also allows the credential holder to request a brief adjudicative proceeding (BAP) as a result of a department action. A BAP is the adjudicative process that is based on a document review, without testimony from individuals at a hearing to resolve a dispute. The department estimates that 85% (319) of the licensees who receive a NOD will submit complete documentation and the credential will be renewed.

The department assumes 64 credential holders will not renew and will close for non-compliance (letting their credential lapse). The department assumes 64 would request a BAP. In FY 2021, costs will be 1.3 FTE and \$137,000. In FY 2022, ongoing costs will be 1.3 FTE and \$132,000.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	12,000	0	12,000	0	0
02G-1	Health Professions Account	State	22,000	305,000	327,000	562,000	562,000
<b>Total \$</b>			34,000	305,000	339,000	562,000	562,000

### III. B - Expenditures by Object Or Purpose

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.3	3.0	1.7	2.8	2.8
A-Salaries and Wages	18,000	194,000	212,000	366,000	366,000
B-Employee Benefits	6,000	68,000	74,000	132,000	132,000
E-Goods and Other Services	7,000	17,000	24,000	28,000	28,000
J-Capital Outlays		7,000	7,000		
T-Intra-Agency Reimbursements	3,000	19,000	22,000	36,000	36,000
<b>Total \$</b>	34,000	305,000	339,000	562,000	562,000

**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2020	FY 2021	2019-21	2021-23	2023-25
Fiscal Analyst 2	49,020		0.4	0.2	0.4	0.4
HEALTH SERVICES	51,000		0.3	0.2	0.2	0.2
CONSULTANT 1 HEALTH SERVICES	60,636					
CONSULTANT 2 HEALTH SERVICES	68,580		0.9	0.5	0.9	0.9
CONSULTANT 3 HEALTH SERVICES	75,684	0.2		0.1		
CONSULTANT 4 Health Svcs Conslt 1	49,020		0.3	0.2	0.3	0.3
HEARINGS EXAMINER 3	87,792		0.2	0.1	0.2	0.2
IT SPECIALIST 5	87,792		0.1	0.1		
LEGAL ASSISTANT 3	51,000		0.2	0.1	0.2	0.2
MANAGEMENT ANALYST 3	62,148					
PARALEGAL 2	65,292		0.4	0.2	0.4	0.4
REGULATORY ANALYST 3	85,668	0.1		0.1		
WMS02	104,400		0.2	0.1	0.2	0.2
<b>Total FTEs</b>		0.3	3.0	1.7	2.8	2.8

**Part IV: Capital Budget Impact**

None.

**Part V: New Rule Making Required**

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

Section 1: The department will adopt rules as necessary to implement the bill.