

Individual State Agency Fiscal Note

Bill Number: 2707 HB	Title: Music therapists	Agency: 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				17,000	53,000
Total \$				17,000	53,000

Estimated Operating Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.0	0.2	0.1	0.3	0.2
Account					
Health Professions Account-State 02G-1	0	32,000	32,000	85,000	72,000
Total \$	0	32,000	32,000	85,000	72,000

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.

Legislative Contact:	Phone:	Date: 01/20/2020
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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.

The bill creates a new chapter in Title 18 RCW (Businesses and Professions) to certify music therapists.

Section 3: Creates a five-member music therapy advisory committee within the Department of Health (department). The Secretary of Health (secretary) will appoint the committee members and will consist of three practicing music therapists in Washington State, a licensed health care provider (not a music therapist), and one member who is or has been in a therapeutic relationship with a music therapist. Member's terms are for four years and they will serve without compensation.

Section 5: Beginning January 1, 2022, a person without a license as a music therapist may not use the title "music therapist" or similar title or practice music therapy.

Section 6: Beginning January 1, 2022, the department will issue a certificate to an applicant upon his or her satisfaction that the application has satisfied the requirements outlined and requires applicants to pay a certificate fee and submit an application for certification.

Section 7: The department must establish by rule procedural requirements and fees for renewal of a two-year credential.

Section 8: The secretary shall establish and adopt rules governing the administration of this chapter in accordance with chapter 34.05 RCW (Administrative Procedures Act). Rules must include procedures for expediting the issuance of a certificate to military personnel. This section also places music therapists under the Uniform Disciplinary Act in chapter 18.130 RCW and gives the secretary disciplining authority.

Section 10: Amends RCW 18.130.040 (Application to certain professions—Authority of secretary—Grant or denial of licenses—Procedural rules) adding music therapists to the list of professions the secretary has disciplinary authority over.

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.

Section 6 & 7: Current law RCW 43.70.250 (License fees for professions, occupations, and businesses.) requires the department to charge a fee to generate sufficient revenue to fully support the costs of administering its health professions licensing activities.

For the purpose of this fiscal note, a 2-year certification fee is estimated between \$300 and \$350 to cover the regulation of music therapists. During the rulemaking process, a fee study will be prepared with proposed fees and provided for stakeholder input. The department will monitor the fund balance and will adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures. Revenue collection will start July 1, 2022 and renewals are paid every two-years.

The Certification Board for Music Therapists currently shows 85 certified music therapists in Washington during 2019.

FY 2023 – \$17,000 (48 applications)
FY 2024 – \$17,000 (49 applications)
FY 2025 - \$36,000 (55 applications, 47 renewals)

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

Sections 8: The department will develop and adopt rules establishing the certification requirements and fees for music therapists. The department estimates that rulemaking will take 18 months to complete and include six rules workshops and one formal rules hearing, all meetings will be held in free facilities. Attorney General time will be one day for each stakeholder meeting and the formal rules hearing. Costs will include travel and related expenses for five committee members, staff and associated costs, and Office of Attorney General support in the amount of \$4,500. In FY 2021, costs will be 0.2 FTE and \$32,000. In FY 2022, costs will be 0.1 FTE and \$11,000.

Health Technology Services (HTS)

Section 6, 7 & 8: During FY 2021, HTS staff will be required to implement a new certification program. This will include conducting a business analysis, configuration, and testing of one new credential type. Tasks include establishing credentialing workflows, user defined fields, templates, fee tables, renewals and modification or creation of reports in the department’s Integrated Licensing and Regulatory System (ILRS). Total costs associated with HTS are 0.1 FTE and \$21,000 in FY 2022. Starting in FY 2023, ongoing costs will total \$6,000 each year.

Office of Customer Service

Section 6: Starting in FY 2022, credentialing costs will be for staff to review and process applications, conduct background checks by running queries with the National Practitioner Databank and Washington State Patrol, provide technical assistance, and issue certificates for qualified applicants on an estimated 48 new applications per year, as well as renewals. Starting FY 2023 and ongoing, costs will be 0.1 FTE and \$13,000 each year.

One-time costs associated for Office of Customer Service to implement the initial music therapist licenses include developing online and paper application, attestation for national board certification, and testing workflows for a total of 0.1 FTE and \$17,000 in FY2022.

Discipline

Section 8: Based on the department’s experience in the Certified Counselor program, a profession with similar requirements, the department is estimating a complaint rate of three (3) percent of certifications per year or three (3) complaints per year.

The complaint response process includes five steps: 1) intake, 2) assessment, 3) investigation, 4) case disposition, and 5) adjudication. Staff review the complaint, identify the history of the person complained about, and help assess whether an investigation is needed. In more than half the cases, investigation is needed. The investigator obtains information about the complaint and the respondent and prepares a report detailing the findings. After investigation, the disciplining authority decides whether to pursue legal action. Staff attorneys, paralegals, and other staff work to develop the legal documents and charge the violation. Most cases are settled, and the staff attorney manages that process. If the respondent asks for a hearing, staff must schedule the hearing, and the health law judge considers all legal motions, presides over the hearing, and drafts the final order.

Cost estimates for the complaint response process associated with this bill were calculated using the department’s Disciplinary Workload Model. Starting in FY 2023 and ongoing, costs will include staff, associated costs and

Office of Attorney General support in the amount of \$4,000 each year. Total costs will be 0.10 FTE and \$17,000 ongoing.

Total costs associated with this bill:

FY 2021 - 0.2 FTE and \$32,000

FY 2022 - 0.3 FTE and \$49,000

FY 2023 and ongoing - 0.2 FTE and \$36,000 per year

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
02G-1	Health Professions Account	State	0	32,000	32,000	85,000	72,000
Total \$			0	32,000	32,000	85,000	72,000

III. B - Expenditures by Object Or Purpose

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		0.2	0.1	0.3	0.2
A-Salaries and Wages		18,000	18,000	49,000	38,000
B-Employee Benefits		7,000	7,000	15,000	12,000
E-Goods and Other Services		4,000	4,000	16,000	18,000
J-Capital Outlays		1,000	1,000		
T-Intra-Agency Reimbursements		2,000	2,000	5,000	4,000
9-					
Total \$	0	32,000	32,000	85,000	72,000

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	53,000				0.1	
HEALTH SERVICES CONSULTANT 2	62,460				0.1	
HEALTH SERVICES CONSULTANT 4	77,952		0.2	0.1	0.2	0.2
Total FTEs			0.2	0.1	0.3	0.2

Part IV: Capital Budget Impact

NONE

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.

Sections 8: The department will adopt rules in a new chapter of WAC 246 necessary to implement this bill.