

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2041 E S HB	<b>Title:</b> Physician assistant practice
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## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Washington State Health Care Authority	0	0	20,000	0	0	70,000	0	0	70,000
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>20,000</b>	<b>0</b>	<b>0</b>	<b>70,000</b>	<b>0</b>	<b>0</b>	<b>70,000</b>

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Health Care Authority	.1	23,000	23,000	43,000	.5	76,000	76,000	146,000	.5	76,000	76,000	146,000
Liquor and Cannabis Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Labor and Industries	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.2	0	0	68,000	.1	0	0	39,000	.0	0	0	0
<b>Total \$</b>	<b>0.3</b>	<b>23,000</b>	<b>23,000</b>	<b>111,000</b>	<b>0.6</b>	<b>76,000</b>	<b>76,000</b>	<b>185,000</b>	<b>0.5</b>	<b>76,000</b>	<b>76,000</b>	<b>146,000</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Washington State Health Care Authority	.0	0	0	.0	0	0	.0	0	0
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0
Department of Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Breann Boggs, OFM	<b>Phone:</b> (360) 485-5716	<b>Date Published:</b> Final 2/15/2024
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 2041 E S HB	<b>Title:</b> Physician assistant practice	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.*

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 for 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.

Legislative Contact: Julie Tran	Phone: 360-786-7283	Date: 02/12/2024
Agency Preparation: Jackie Bailey-Johnson	Phone: 360-704-5545	Date: 02/13/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/13/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/13/2024

194,558.00

Request # 212-1

## Part II: Narrative Explanation

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

This engrossed bill retains the same court impacts as the original bill but adds no more.

It also removes the provision deeming that physician assistant (PA) acts constituting practice of medicine to be the PA's sole responsibility. It authorizes employers to receive direct payment for PA services when the employer bills on the PA's behalf. It also bars health insurers from imposing practice, education, or collaboration requirements on PAs that are inconsistent with or more restrictive than state law.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

No fiscal impact is expected to the Administrative Office of the Courts or the courts.

## Part III: Expenditure Detail

### III. A - Expenditure By Object or Purpose (State)

NONE

### III. B - Expenditure By Object or Purpose (County)

NONE

### III. C - Expenditure By Object or Purpose (City)

NONE

### III. D - FTE Detail

NONE

### III. E - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B1 - Expenditures by Object Or Purpose (State)

NONE

### IV. B2 - Expenditures by Object Or Purpose (County)

NONE

### IV. B3 - Expenditures by Object Or Purpose (City)

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

194,558.00

Form FN (Rev 1/00)

None

194,558.00

Form FN (Rev 1/00)

3

Request # 212-1

Bill # 2041 E S HB

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2041 E S HB	<b>Title:</b> Physician assistant practice	<b>Agency:</b> 107-Washington State Health Care Authority
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-Federal 001-2		20,000	20,000	70,000	70,000
<b>Total \$</b>		20,000	20,000	70,000	70,000

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.3	0.1	0.5	0.5
<b>Account</b>					
General Fund-State 001-1	0	23,000	23,000	76,000	76,000
General Fund-Federal 001-2	0	20,000	20,000	70,000	70,000
<b>Total \$</b>	0	43,000	43,000	146,000	146,000

### 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.

Legislative Contact: Julie Tran	Phone: 360-786-7283	Date: 02/12/2024
Agency Preparation: Marcia Boyle	Phone: 360-725-0850	Date: 02/14/2024
Agency Approval: SUMAN MAJUMDAR	Phone: 360-725-1319	Date: 02/14/2024
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 02/15/2024

## Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached narrative.

### II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

See attached narrative.

### II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

See attached narrative.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	23,000	23,000	76,000	76,000
001-2	General Fund	Federal	0	20,000	20,000	70,000	70,000
<b>Total \$</b>			0	43,000	43,000	146,000	146,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.3	0.1	0.5	0.5
A-Salaries and Wages		15,000	15,000	60,000	60,000
B-Employee Benefits		7,000	7,000	26,000	26,000
C-Professional Service Contracts					
E-Goods and Other Services		10,000	10,000	20,000	20,000
G-Travel		2,000	2,000	4,000	4,000
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		9,000	9,000	36,000	36,000
9-					
<b>Total \$</b>	0	43,000	43,000	146,000	146,000

### 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 2024	FY 2025	2023-25	2025-27	2027-29
MEDICAL ASSISTANCE SPECIALIST 3	59,000		0.3	0.1	0.5	0.5
<b>Total FTEs</b>			0.3	0.1	0.5	0.5

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# HCA Fiscal Note

Bill Number: **ES HB 2041**

HCA Request #: 24-154

Title: **Physician Assistant Practice**

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

Estimated Cash Receipts to:

ACCOUNT	REV SOURCE	FY-2024	FY-2025	FY-2026	FY-2027	2023-25	2025-27	2027-29
General Fund-Federal 001-2	0393	-	20,000	35,000	35,000	20,000	70,000	70,000
<b>REVENUE - TOTAL \$</b>		<b>\$ -</b>	<b>\$ 20,000</b>	<b>\$ 35,000</b>	<b>\$ 35,000</b>	<b>\$ 20,000</b>	<b>\$ 70,000</b>	<b>\$ 70,000</b>

### Estimated Operating Expenditures from:

Estimated Expenditures from:

	FY-2024	FY-2025	FY-2026	FY-2027	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.3	0.5	0.5	0.1	0.5	0.5
<b>ACCOUNT</b>							
General Fund-State 001-1	-	23,000	38,000	38,000	23,000	76,000	76,000
General Fund-Federal 001-2	-	20,000	35,000	35,000	20,000	70,000	70,000
<b>ACCOUNT - TOTAL \$</b>		<b>\$ -</b>	<b>\$ 43,000</b>	<b>\$ 73,000</b>	<b>\$ 73,000</b>	<b>\$ 43,000</b>	<b>\$ 146,000</b>

### 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.

# HCA Fiscal Note

Bill Number: **ES HB 2041**

HCA Request #: 24-154

Title: **Physician Assistant Practice**

## Part II: Narrative Explanation

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

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

This bill proposes to make changes to how Physician Assistants work within a collaborative practice.

Changes made from HB to ESHB:

Section 11 adds narrative about employers billing on behalf of a physician assistant and that carriers may not impose requirements that are inconsistent with or more restrictive than state laws or regulations governing physician assistants.

\*\*\*\*\*

Sections that have an impact on the Washington State Health Care Authority (HCA).

Sections 2 through 10 modify RCW 18.71A, Physician Assistants, to support changes in how Physician Assistants work with providers. Changes include the addition and modification of definitions, rules changes, and other language to support collaborative agreements.

Section 11 adds a new section to RCW 48.43, Insurance Reform, to allow Physician Assistants or their employers to bill on behalf of a Physician Assistant for and receive direct payment for services delivered by Physician Assistants.

Section 33 sets an effective date of January 1, 2025, for Section 11.

### II. B - Cash Receipts Impact

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

The Washington State Health Care Authority (HCA) anticipates that this work will be eligible for Medicaid Administrative cost sharing. For this estimate a federal rate of 47 percent was used.

ACCOUNT	REV SOURCE	FY-2024	FY-2025	FY-2026	FY-2027	2023-25	2025-27	2027-29
General Fund-Federal 001-2	0393	-	20,000	35,000	35,000	20,000	70,000	70,000
REVENUE - TOTAL \$		\$ -	\$ 20,000	\$ 35,000	\$ 35,000	\$ 20,000	\$ 70,000	\$ 70,000

### II. C - Expenditures

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

## HCA Fiscal Note

Bill Number: **ES HB 2041**

HCA Request #: 24-154

Title: **Physician Assistant Practice**

### **Administrative impacts:**

HCA anticipates that additional staff effort will be needed to address the changes in Section 11. Currently, Physician Assistants are only identified in the ProviderOne system as servicing providers. HCA will need to update the system for any Physician Assistants that choose to participate as a billing provider and to address any questions.

Goods and services, travel, and equipment are calculated on actual program averages per FTE. Administrative costs are calculated at \$35,000 per 1.0 FTE. This cost is included in Object T based on HCA's federally approved cost allocation plan.

### **Apple Health Service-related Impacts:**

No fiscal impact.

This bill changes the relationship between a Physician and a Physician Assistant from a supervisory association to a collaborative partnership. The changes proposed by this bill have no impact on the scope of care provided by physician assistants to Apple Health clients or on the reimbursement rates for the services provided. This bill, therefore, is not expected to result in additional service expenditures for HCA.

### **Public Employees Benefits Board (PEBB) and School Employees Benefits Board (SEBB) program Service-related Impacts:**

Section 11 of this bill amends RCW 48.43 which governs the fully insured health plans offered by the PEBB and SEBB programs. Fully insured health plans offered to PEBB and SEBB enrollees currently cover services rendered by Physician Assistants. Changes to this section would not change the volume of claims for services provided by Physician Assistants to PEBB and SEBB enrollees and therefore have no impact on future bid rates.

As drafted, this bill does not directly impact the self-insured Uniform Medical Plan, established and governed by RCW 41.05, which is offered in the PEBB and SEBB programs. While this bill does not directly impact 41.05, Regence who administers the state's self-insured plan would be impacted by this bill for their commercial book of business. Regence currently reimburses Physician Assistants (PA) at a PA fee schedule which differs from the MD fee schedule. As drafted, it is unclear if reimbursement for PAs would be higher than the current fee schedule. In addition, any deviation in UMP plan design from Regence's book of business could result in additional administrative costs.

### **Medicare Advantage Plans**

State laws (except as related to initial licensing and solvency) are preempted by Federal laws (e.g. Centers for Medicare and Medicaid Services) for Medicare Advantage and Part D offerings by a

# HCA Fiscal Note

Bill Number: **ES HB 2041**

HCA Request #: 24-154

Title: **Physician Assistant Practice**

Medicare Advantage Organization. Coverage-related state laws are preempted under federal statutes and CMS regulations and therefore do not apply to those federal plans (42 U.S.C. § 1395w-26(b)(3); 42 U.S.C. § 1395w-112(g); 42 CFR 422.402; 42 CFR 423.440).

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditure

ACCOUNT	ACCOUNT TITLE	TYPE	FY-2024	FY-2025	FY-2026	FY-2027	2023-25	2025-27	2027-29
001-1	General Fund	State	-	23,000	38,000	38,000	23,000	76,000	76,000
001-2	General Fund	Federal	-	20,000	35,000	35,000	20,000	70,000	70,000
<b>ACCOUNT - TOTAL \$</b>			<b>\$ -</b>	<b>\$ 43,000</b>	<b>\$ 73,000</b>	<b>\$ 73,000</b>	<b>\$ 43,000</b>	<b>\$ 146,000</b>	<b>\$ 146,000</b>

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

OBJECT	OBJECT TITLE	FY-2024	FY-2025	FY-2026	FY-2027	2023-25	2025-27	2027-29
A	Salaries and Wages	-	15,000	30,000	30,000	15,000	60,000	60,000
B	Employee Benefits	-	7,000	13,000	13,000	7,000	26,000	26,000
E	Goods and Other Services	-	10,000	10,000	10,000	10,000	20,000	20,000
G	Travel	-	2,000	2,000	2,000	2,000	4,000	4,000
T	Intra-Agency Reimbursements	-	9,000	18,000	18,000	9,000	36,000	36,000
<b>OBJECT - TOTAL \$</b>		<b>\$ -</b>	<b>\$ 43,000</b>	<b>\$ 73,000</b>	<b>\$ 73,000</b>	<b>\$ 43,000</b>	<b>\$ 146,000</b>	<b>\$ 146,000</b>

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

FTE JOB TITLE	SALARY	FY-2024	FY-2025	FY-2026	FY-2027	2023-25	2025-27	2027-29
MEDICAL ASSISTANCE SPECIALIST 3	59,000	0.0	0.3	0.5	0.5	0.1	0.5	0.5
<b>ANNUAL SALARY &amp; FTE - TOTAL</b>	<b>\$ 59,000</b>	<b>0.0</b>	<b>0.3</b>	<b>0.5</b>	<b>0.5</b>	<b>0.1</b>	<b>0.5</b>	<b>0.5</b>

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

**IV. C - Capital Budget Breakout:** Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

## HCA Fiscal Note

Bill Number: **ES HB 2041**

HCA Request #: 24-154

Title: **Physician Assistant Practice**

**IV. D - Capital FTE Detail:** FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

### **Part V: New Rule Making Required**

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

NONE

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2041 E S HB	<b>Title:</b> Physician assistant practice	<b>Agency:</b> 195-Liquor and Cannabis Board
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**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.

Legislative Contact: Julie Tran	Phone: 360-786-7283	Date: 02/12/2024
Agency Preparation: Colin O Neill	Phone: (360) 664-4552	Date: 02/13/2024
Agency Approval: Aaron Hanson	Phone: 360-664-1701	Date: 02/13/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/13/2024

## Part II: Narrative Explanation

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

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

This bill would authorize physician assistants to enter into collaborative practice with physicians to provide team-based care and enhance access to health care for the people of this state.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2041 E S HB	<b>Title:</b> Physician assistant practice	<b>Agency:</b> 235-Department of Labor and Industries
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**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.

Legislative Contact: Julie Tran	Phone: 360-786-7283	Date: 02/12/2024
Agency Preparation: Shana J Snellgrove	Phone: 360-902-6408	Date: 02/14/2024
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 02/14/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 02/14/2024

## Part II: Narrative Explanation

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

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

This bill directs the Department of Health to allow physician assistants (PAs) to enter into "collaboration" agreements with physicians, rather than purely "supervising" agreements.

The ESHB version of the bill:

- Removes the specification that the responsibility retained by a PA for acts that constitute the practice of medicine or osteopathic medicine when performed by the PA is sole professional and personal responsibility.
- Specifies that an employer is authorized to receive direct payment for the services delivered by a PA when billing on behalf of a PA.
- Prohibits a health carrier from imposing a practice, education, or collaboration requirement that is inconsistent with or more restrictive than state laws or regulations governing physician assistants.

These changes do not affect the fiscal impact for the Department of Labor & Industries (L&I).

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

There is no fiscal impact for L&I. When a PA applies to be a network provider with L&I today, staff verify that the PA has an active physician agreement included with the initial credentialing application. If this bill were to be implemented, it would not change L&I's process of verifying that the PA has an active agreement in place.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2041 E S HB	<b>Title:</b> Physician assistant practice	<b>Agency:</b> 300-Department of Social and Health Services
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**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.

Legislative Contact: Julie Tran	Phone: 360-786-7283	Date: 02/12/2024
Agency Preparation: Sara Corbin	Phone: 360-902-8194	Date: 02/12/2024
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 02/12/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/13/2024

## Part II: Narrative Explanation

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

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

2041 ESHB changes requirements relating to the regulation of physician assistants and permits a collaboration relationship between physician assistants and the physicians with whom they work. Passage of this legislation will not impact the Department of Social and Health Services (DSHS) workload or client benefits. Therefore, there is no fiscal impact to DSHS from this bill.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

None

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2041 E S HB	<b>Title:</b> Physician assistant practice	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.4	0.2	0.1	0.0
<b>Account</b>					
Health Professions Account-State 02G-1	0	68,000	68,000	39,000	0
<b>Total \$</b>	0	68,000	68,000	39,000	0

### 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.

Legislative Contact: Julie Tran	Phone: 360-786-7283	Date: 02/12/2024
Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 02/14/2024
Agency Approval: Amy Burkel	Phone: 3602363000	Date: 02/14/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/15/2024

## Part II: Narrative Explanation

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

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

The fiscal impact has not changed from the previous fiscal note on Substitute Senate Bill 2041. The engrossed substitute removes the word sole when identifying the physician assistant's responsibility for any act which constitutes the practice of medicine in section 6. Additionally, section 11 specifies that an employer is authorized to receive direct payment for the services delivered by a physician assistant when billing on behalf of a physician assistant and a health carrier is prohibited from imposing a practice, education, or collaboration requirement that is inconsistent with or more restrictive than state laws or regulations governing physician assistants. The changes identified in the engrossed substitute does not require the Washington Medical Commission (commission) to do any work, therefore no change in fiscal impact.

This bill amends RCW 18.71A (Physician Assistants) creating a collaboration agreement between a physician assistant and a participating physician or physicians.

Section 2: Amends RCW 18.71A.010 (Definitions) replacing practice agreement with collaboration agreement.

Section 5(1): Amends RCW 18.71A.030 (Limitations of Practice – Scope of Practice) replacing the word practice with collaboration.

Section 5(2): Amends RCW 18.71A.030 (Limitations of Practice – Scope of Practice) to identify the location a physician assistant may practice and under what supervision based on postgraduate clinical practice hours completed.

Section 5(3): Amends RCW 18.71A.030 (Limitations of Practice – Scope of Practice) to allow a physician assistant with at least 10 years or 20,000 hours of postgraduate clinical experience in a specialty may continue to provide those specialty services are outside the scope of the practice of their participating physician or physicians if the practice is located in a rural area as identified by the department under RCW 70.180.011 or in an underserved area.

Section 5(4): Amends RCW 18.71A.030 (Limitations of Practice – Scope of Practice) allowing a physician assistant working with an anesthesiologist who is acting as a participating physician as defined in RCW 18.71A.010 to deliver general anesthesia or intrathecal anesthesia pursuant to a collaboration agreement as stipulated by the commission.

Section 33: Sections 1 through 8, 10 through 18, 20 through 26, 28, and 30 through 32 of this act take effect January 1, 202:

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

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 Washington Medical Commission licensing activities. The commission does not anticipate the need to increase licensing fees to implement this bill. The commission will monitor program fund balances and adjust fees over a six (6) year period to ensure that fees are sufficient to cover program expenditures.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## RULEMAKING



The Washington Medical Commission (commission) will develop and adopt rules related to collaboration agreement requirements. The commission anticipates utilizing a team of subject matter experts to implement this bill. This team will consist of the program manager and a community engagement specialist to identify underreached communities and engage them in the rulemaking process. This process will include two meetings with interested parties as well as one formal rules hearing, all held virtually, and will take approximately 12 months to complete. The commission anticipates providing the rules hearing announcement and materials in both English and Spanish and providing ASL and Spanish interpretation services at the rules hearing.

Costs include staff, associated expenses (including goods and services, travel, intra-agency, and indirect charges), and Office of Attorney General support in the amount of \$4,000.

FY 2025 one-time costs will be 0.2 FTE and \$29,000.

## COMPLAINTS

Based on the commission’s experience in implementing changes of scope, the commission is estimating 10 complaints each year for the first two years in FY25 and FY26. Of those 20 complaints, the commission anticipates 8 (40%) would be investigated and 2 (25%) would result in charges.

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.

FY 2025 costs will be 0.2 FTE and \$39,000

FY 2026 costs will be 0.2 FTE and \$39,000

### TOTAL COSTS TO IMPLEMENT THIS BILL:

FY 2025 - 0.4 FTE and \$68,000 (02G-1)

FY 2025 - 0.2 FTE and \$39,000 (02G-1)

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
02G-1	Health Professions Account	State	0	68,000	68,000	39,000	0
<b>Total \$</b>			0	68,000	68,000	39,000	0

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.4	0.2	0.1	
A-Salaries and Wages		30,000	30,000	17,000	
B-Employee Benefits		11,000	11,000	6,000	
C-Professional Service Contracts		1,000	1,000		
E-Goods and Other Services		23,000	23,000	14,000	
T-Intra-Agency Reimbursements		3,000	3,000	2,000	
9-					
<b>Total \$</b>	0	68,000	68,000	39,000	0

**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 2024	FY 2025	2023-25	2025-27	2027-29
HEALTH SERVICES CONSULTANT 4	86,208		0.2	0.1	0.1	
HEARINGS EXAMINER 3	100,008		0.2	0.1	0.1	
<b>Total FTEs</b>			0.4	0.2	0.1	0.0

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

The commission will adopt rules in Title 246-918 WAC (Physicians Assistants – Washington Medical Commission) as necessary to implement this bill.