

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6908

BILL NUMBER: SB 239

NOTE PREPARED: Jan 31, 2022

BILL AMENDED: Jan 31, 2022

SUBJECT: Practitioner Identification and Advertising.

FIRST AUTHOR: Sen. Boehnlein

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

**FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL**

IMPACT: State

Summary of Legislation: (Amended) This bill provides that, beginning January 1, 2023, certain practitioners are subject to disciplinary sanctions if the practitioner communicates or disseminates to the general public an advertisement that includes deceptive or misleading information or does not prominently state the profession or license held by the practitioner. The bill establishes certain exceptions. It provides, for purposes of the law prohibiting the unlawful practice of medicine or osteopathic medicine, that "the practice of medicine or osteopathic medicine" includes attaching to an individual's name additional terms or other specified words that identify a member of a medical specialty. It also establishes certain exceptions.

Effective Date: July 1, 2022.

Explanation of State Expenditures: A violation of the bill's requirements would be subject to administrative orders and procedures by the board or commission within the Professional Licensing Agency (PLA) that governs the violating practitioner's profession. The nature of the violation and the corrective actions of the practitioner will determine the cost to PLA. Additionally, PLA would likely need to notify license holders of the requirements established by the bill and post updates to the PLA website. These actions are within the PLA's routine administrative functions and should be able to be implemented with no additional appropriations.

Explanation of State Revenues: If a violation occurs, the PLA may take an action that could impact state revenue. If the violator has a license denied or revoked, fee revenue would decrease to the General Fund. Health care practitioner license fees range between \$40 and \$200 biennially. The PLA may also impose a fine of up to \$1,000, which would be deposited in the General Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Professional Licensing Agency.

Local Agencies Affected:

Information Sources: IC 25-1-9-9; Legislative Services Agency, *Indiana Handbook of Taxes, Revenues, and Appropriations*, FY 2021.

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