

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

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FISCAL IMPACT STATEMENT

LS 6908

BILL NUMBER: SB 239

NOTE PREPARED: Feb 24, 2022

BILL AMENDED: Feb 23, 2022

SUBJECT: Professional Licensing Matters.

FIRST AUTHOR: Sen. Boehnlein

FIRST SPONSOR: Rep. Zent

BILL STATUS: As Passed House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: *Practitioner Identification and Advertising*– The 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. It establishes certain exceptions.

Marriage and Family Therapists– The bill decreases the number of experiential practice hours required to obtain a license as a marriage and family therapist or a therapist associate. It specifies that the hours must be completed during at least 12 months.

Effective Date: July 1, 2022.

Explanation of State Expenditures: *Practitioner Identification and Advertising*– 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.

Marriage and Family Therapists– The PLA could experience a minor increase in workload to process additional license applications for marriage and family therapists or therapist associates if the bill’s reduction in required practice hours makes it easier for students to obtain licensure. Any increase in license applications is expected to be minimal. The PLA’s administrative expenses are paid from General Fund

appropriations.

Explanation of State Revenues: *Practitioner Identification and Advertising*– 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.

Marriage and Family Therapists– If the bill’s reduction in required practice hours results in additional marriage and family therapy license applicants, the PLA could collect additional revenue from license fees. Fees for all licenses issued by the Behavioral Health and Human Services Licensing Board are \$50 for initial application and biennial renewal. The fees are deposited in the General Fund. Any additional revenue collected as a result of the bill is expected to be minimal.

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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