

Individual State Agency Fiscal Note

Revised

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|-----------------------------|--------------------------------|---|
| Bill Number: 5214 SB | Title: Music therapists | Agency: 303-Department of Health |
|-----------------------------|--------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

| ACCOUNT | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---|---------|---------|---------|---------|---------|
| Health Professions Account-State 02G-1 | 128,000 | 86,000 | 214,000 | 124,000 | 131,000 |
| Total \$ | 128,000 | 86,000 | 214,000 | 124,000 | 131,000 |

Estimated Operating Expenditures from:

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---|---------|---------|---------|---------|---------|
| FTE Staff Years | 1.0 | 0.6 | 0.8 | 0.6 | 0.6 |
| Account | | | | | |
| General Fund-State 001-1 | 129,000 | 54,000 | 183,000 | 0 | 0 |
| Health Professions Account-State 02G-1 | 0 | 80,000 | 80,000 | 148,000 | 148,000 |
| Total \$ | 129,000 | 134,000 | 263,000 | 148,000 | 148,000 |

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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| Agency Approval: Kristin Bettridge | Phone: 3607911657 | Date: 03/08/2023 |
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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 bill creates a new chapter in Title 18 RCW to license music therapists.

Section 3: Creates a five-member music therapy advisory committee. The Secretary of Health (secretary) will appoint the committee members, which will include 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.

Section 4: Adds a new section outlining licensing requirements for music therapist applicants.

Section 5: Adds a new section stating that each license issued under this chapter must be renewed biennially and outlines renewal requirements.

Section 6: Beginning January 1, 2025 a person without a license as a music therapist may not use the title “music therapist” or similar title or practice music therapy. Prohibits anyone from practicing music therapy or representing themselves as a music therapist unless licensed with the department.

Section 7: Places music therapists under the Uniform Disciplinary Act 18.130 RCW.

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.

Section 4 & 5: Current law, RCW 43.70.250, requires that health professions be fully self-supporting and that sufficient revenue collected through fees to fund expenditures in the Health Professions Account. The calculation of specific fees will happen during rulemaking and a fee proposal presented as part of the rules package.

For the purpose of this fiscal note, a biennial license fee is estimated between \$825 and \$875 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 January 1, 2025 and renewals are paid biennially.

The Certification Board for Music Therapists currently shows 120 certified music therapists in Washington. The department assumes that all 120 certified music therapists will apply in the first year.

Assumption: Revenue estimates are based on the assumption that the department will receive general fund-state (GFS) in FY 2024 and FY 2025 to implement this bill. If GFS is not appropriated for implementation in FY 2024 and FY 2025, then the fees may range between \$1,150 and \$1,200 per certification in order to recover the implementation costs over a six-year horizon.

Washington Administration Code (WAC) 246-12-020 (3) states the initial credential will expire on the practitioner’s birthday, except for faculty or postgraduate education credentials authorized by law. Initial credentials issued within ninety days of the practitioner's birthday do not expire until the practitioner's next birthday. Based on this WAC, the department assumes a standard 25 percent of first year applications will need to renew their license in the first year as their birthday will fall outside of ninety days from issuance of initial credential. Ongoing renewals are based on the professions current renewal rate of the previous year’s applications and renewals. Because this is a new profession the department assumes a 98.5% renewal rate.

Estimated revenue for music therapists (based on range \$825 - \$875):

FY 2024 - \$128,000 (120 applications & 30 renewals)

FY 2025 - \$86,000 (6 applications & 95 renewals)

FY 2026 - \$35,000 (6 applications & 35 renewals)

FY 2027 - \$89,000 (6 applications & 99 renewals)

FY 2028 - \$40,000 (6 applications & 41 renewals)

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

Sections 4 and 5: The department will develop and adopt rules to establish the music therapist program. The department 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. Based on the department's experience with establishing a new health care profession, the department anticipates rulemaking to be complex. Complex rulemaking will require a rules project coordinator to support subject matter experts and ensure timely completion of rulemaking. This process will include three meetings with interested parties as well as one formal rules hearing, all held virtually, and will take approximately 12 months to complete. The department 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 \$5,000.

FY 2024 costs will be 0.4 FTE and \$54,000 (GF-S)

Health Technology Services

Section 4 and 5: Configuration in department's Healthcare Enforcement and Licensing Modernization System will require 200 hours from the integration vendor at a rate of \$262.50 per hour. Work will include the initial vendor configuration and agency staff time for ongoing maintenance of one new credential and one application as well as update reports, user defined fields, and workflows.

FY 2025, costs will 0.10 FTE and \$54,000 (GFS).

FY 2026 and ongoing, costs will be \$3,000 (02G).

Office of Customer Service

Section 4 and 5: This bill requires additional staff to review and process initial applications, run background checks through the Washington State Patrol (all new applicants) provide technical assistance, and issue certifications for qualified applicants. In subsequent years, the department will process more renewals than initial applications which typically take less time but will increase total workload due to volume. There is also impact to customer services operations, call center, revenue, renewal, and public disclosure units as a result of the increase in applications and renewals.

FY 2024, costs will be \$6,000 (GFS).

FY 2025, costs will be 0.20 FTE and \$14,000 (02G).

Program Implementation and Administration

Music therapists

Form FN (Rev 1/00) 185,956.00

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303-Department of Health

Request # FN23-057-2

Bill # 5214 SB

Section 3 and 4: Based on the department's experience implementing new health care profession programs, staff will be required to implement and manage the music therapist program. Work will include but not be limited to recruiting for and filling all five committee member positions, developing policies and procedures, updating the department's website, responding to stakeholder inquiries, monitoring monthly expenditures, and performing other duties as necessary to administer the program. Costs include staff time and other associated costs (including goods and services, intra-agency and indirect charges).

FY 2024 costs will be 0.3 FTE and \$42,000 (GF-S).

FY 2025 and ongoing, costs will be 0.3 FTE and \$41,000 (02G).

Music Therapist Advisory Committee

Section 3: Creates the Music Therapist Advisory Committee, consisting of five members. The department assumes it will take three months to recruit and select all required committee members and the committee will meet once per month for the first six months and then three times per year each year thereafter. Program staff will prepare for, attend, and follow up on all committee meetings. Costs for the committee includes travel costs at \$2,000 per in person meeting, however costs associated with compensation based on RCW 43.03.220 is not included per subsection 3 which states members shall serve a term of four years without compensation. The department assumes three in person meetings in the first year and two in person meetings in the second year and each year thereafter.

FY 2024 costs will be 0.2 FTE and \$27,000 (GF-S).

FY 2025 and ongoing, costs will be 0.1 FTE and \$13,000 (02G).

Discipline

Section 7: 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 licensees per year or four (4) 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.

FY 2025, costs will be 0.10 FTE and \$12,000 (02G).

FY 2026 and ongoing, costs will be 0.10 FTE and \$17,000 each year (02G).

Costs to implement this bill:

FY 2024 - 1.0 FTE and \$129,000 (GFS)

FY 2025 - 0.6 FTE and \$134,000 (\$54,000 (GFS) & \$80,000 (02G))

FY 2026 and ongoing - 0.60 FTE and \$74,000 (02G)

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 | 129,000 | 54,000 | 183,000 | 0 | 0 |
| 02G-1 | Health Professions Account | State | 0 | 80,000 | 80,000 | 148,000 | 148,000 |
| Total \$ | | | 129,000 | 134,000 | 263,000 | 148,000 | 148,000 |

III. B - Expenditures by Object Or Purpose

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|----------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 1.0 | 0.6 | 0.8 | 0.6 | 0.6 |
| A-Salaries and Wages | 75,000 | 50,000 | 125,000 | 90,000 | 90,000 |
| B-Employee Benefits | 28,000 | 17,000 | 45,000 | 32,000 | 32,000 |
| C-Professional Service Contracts | 1,000 | 53,000 | 54,000 | | |
| E-Goods and Other Services | 13,000 | 6,000 | 19,000 | 12,000 | 12,000 |
| G-Travel | 6,000 | 4,000 | 10,000 | 8,000 | 8,000 |
| J-Capital Outlays | 1,000 | | 1,000 | | |
| T-Intra-Agency Reimbursements | 5,000 | 4,000 | 9,000 | 6,000 | 6,000 |
| Total \$ | 129,000 | 134,000 | 263,000 | 148,000 | 148,000 |

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 |
|--------------------------------|---------|---------|---------|---------|---------|---------|
| Fiscal Analyst 2 | 53,000 | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 |
| HEALTH CARE INVESTIGATOR 3 | 78,900 | | | | 0.1 | 0.1 |
| HEALTH SERVICES CONSULTAN 1 | 55,872 | | 0.1 | 0.1 | | |
| HEALTH SERVICES CONSULTAN 4 | 82,896 | 0.5 | 0.3 | 0.4 | 0.3 | 0.3 |
| Health Svcs Conslt 1 | 53,000 | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 |
| MANAGEMENT ANALYST 4 | 82,896 | 0.2 | | 0.1 | | |
| WMS02 | 114,360 | 0.1 | | 0.1 | | |
| Total FTEs | | 1.0 | 0.6 | 0.8 | 0.6 | 0.6 |

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.

Sections 5: The department will adopt rules as necessary to implement this bill.