



# STATE FISCAL IMPACT

**Drafting Number:** LLS 12-0361**Date:** February 8, 2012**Prime Sponsor(s):** Rep. Levy  
Sen. Nicholson**Bill Status:** House Health and Environment**Fiscal Analyst:** Clare Pramuk (303-866-2677)

**TITLE:** CONCERNING THE EXPANSION OF THE SCOPE OF PRACTICE OF ADDITIONAL TRAINED HEALTH CARE PROFESSIONALS TO INCLUDE FIVE-POINT AURICULAR ACUDETTOX.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue	\$8,937	\$11,337
State Expenditures	8,937	11,337
FTE Position Change		
<b>Effective Date:</b> July 1, 2012.		
<b>Appropriation Summary for FY 2012-2013:</b> See State Appropriations Section.		
<b>Local Government Impact:</b> None.		

## Summary of Legislation

This bill expands the scope of practice for mental health professionals who have completed specific training to perform the Five-Point National Acupuncture Detoxification Association Auricular Acupuncture Protocol (NADA protocol) in conjunction with a chemical dependency, mental health, or behavioral health treatment program. These mental health professionals include: psychiatric technicians, psychologists, social workers, marriage and family therapists, licensed professional counselors, and addiction counselors. These professions are governed by six regulatory boards in the Department of Regulatory Agencies. If a board determines there are grounds for discipline related to the performance of the NADA protocol, that board must consult with an acupuncturist licensed in this state who is trained in the NADA protocol.

## Background

The NADA protocol consists of the insertion of sterile, stainless-steel, disposable acupuncture needles on a person's ear. The NADA protocol is used to treat addiction, and mental and behavioral health disorders. Training generally requires 30 hours of classroom instruction and 40 hours of hands-on work in a clinic. Currently there are two trainers in Colorado.

## State Revenue

**This bill will increase cash funds revenue to the Division of Registrations Cash Fund by \$8,937 in FY 2012-13 and \$11,337 in FY 2013-14.**

***Fee Impact on Health Care Providers.*** Section 2-2-322, C.R.S., requires legislative service agency review of measures which create or increase any fee collected by a state agency. The actual fee will be set by DORA to cover the cost of regulating each group of professionals. Because the bill applies to over 18,000 licensees, individual fees will increase less than \$1.00 per professional per year.

## State Expenditures

***This bill is expected to increase expenditures by in \$8,937 in FY 2012-13 and \$11,337 FY 2013-14 in the Division of Registrations for the six boards that govern the mental health professionals affected by the bill.*** These expenditures are for disciplinary actions. The fiscal note assumes that in FY 2012-13 each board will investigate one disciplinary action for a total of six cases that will require consultations with a licensed acupuncturist in the first year. Each consultation is estimated at \$480. In FY 2013-14, the total number of disciplinary actions is expected to increase to 11. For disciplinary actions that cannot be resolved by the respective board, the fiscal note assumes that one case per year will be referred to the Attorney General's Office to issue an injunction and one case for adjudication. Expenditures for an injunction are \$4,543 for 60 hours of legal services at a rate of \$75.71 per hour while expenditures for adjudication are \$1,514 for 20 hours of legal services.

<b>Table 1. Expenditures Under HB12-1141</b>		
<b>Cost Components</b>	<b>FY 2012-13</b>	<b>FY 2013-14</b>
Expert Acupuncturist Consultation	\$2,880	\$5,280
Legal Services	6,057	6,057
<b>TOTAL</b>	<b>\$8,937</b>	<b>\$11,337</b>

## State Appropriations

For FY 2012-13, the Department of Regulatory Agencies requires an appropriation of \$8,937 from the Division of Registrations Cash Fund. Of this, the Department of Law requires \$6,057 in reappropriated funds.

## Departments Contacted

Regulatory Agencies

Law