

**STATE
FISCAL IMPACT**

Drafting Number: LLS 15-0191
Prime Sponsor(s): Sen. Aguilar
 Rep. Esgar

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Bill Status: Senate Business, Labor, & Technology
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BILL TOPIC: SUNSET ATHLETIC TRAINERS PRACTICE ACT

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue	(\$59,000)	(\$2,500)
Cash Funds	(59,000)	(2,500)
State Expenditures	(\$93,428)	(\$93,567)
Cash Funds	(87,562)	(87,562)
Centrally Appropriated Costs**	(5,866)	(6,005)
TABOR Set Aside	(\$59,000)	(\$2,500)
FTE Position Change	(1.3 FTE)	(1.3 FTE)
Appropriation Required: Reduction of \$87,853 - Department of Regulatory Agencies (FY 2015-16)		

* This summary shows changes from current law under the bill for each fiscal year. Parentheses indicate a decrease in funds.

** These costs are not included in the bill's appropriation. See the State Expenditures section for more information.

Summary of Legislation

Based on the sunset recommendations of the Department of Regulatory Agencies (DORA), the bill repeals the registration program for athletic trainers in the Division of Professions and Occupations (DPO). In place of this regulatory program, the bill re-establishes an exemption to the Medical Practice Act that allows qualified athletic trainers to perform certain limited medical services under the direction of a licensed health care provider.

Background

Senate Bill 09-026 created a registration program for athletic trainers. Athletic trainers provide health care to athletes who are physically active as part of various organizations and activities. Common services include educating athletes about avoiding injuries, providing emergency care during sporting events, and applying devices such as tape and braces for joint stability. There are currently about 600 registered athletic trainers in Colorado.

State Revenue

By ending the regulation of athletic trainers in DORA, fee revenue to the DPO Cash Fund will be reduced as shown in Table 1. The fee revenue reduction is based on the current number of registered athletic trainers renewing their registrations according to the program's two-year renewal cycle, and approximately 50 new registrations occurring each year.

Table 1. Fee Impact on Individuals, Families or Business					
Type of Fee	Current Fee	Proposed Fee	Fee Change	Number Affected	Total Fee Impact
FY 2015-16					
Registration renewals	\$90	\$0	(\$90)	600	(\$54,000)
New registrations	\$50	\$0	(\$50)	50	(2,500)
FY 2015-16 TOTAL				650	(\$56,500)
FY 2016-17					
New registrations	\$50	\$0	(\$50)	50	(\$2,500)
FY 2016-17 TOTAL				650	(\$2,500)

TABOR Impact

This bill reduces state revenue from fees, which will reduce the amount required to be refunded under TABOR. TABOR refunds are paid from the General Fund.

State Expenditures

The bill reduces cash fund expenditures in DORA, paid from the Division of Professions and Occupations Cash Fund, as shown in Table 2 and discussed below.

Table 2. Expenditures Under SB 15-113		
Cost Components	FY 2015-16	FY 2016-17
Personal Services	(\$71,304)	(\$71,304)
FTE	(1.3 FTE)	(1.3 FTE)
Operating Expenses	(1,235)	(1,235)
Printing and Postage	(754)	(754)
Legal Services	(14,269)	(14,269)
Centrally Appropriated Costs*	(5,866)	(6,005)
TOTAL	(\$93,428)	(\$93,567)

* Centrally appropriated costs are not included in the bill's appropriation.

Registration program costs. By repealing the program, the bill reduces the required appropriations to DORA by \$87,562 and 1.3 FTE. This is the current spending authority in the DPO to operate the athletic trainer registration program. These costs include personal services, operating expenses, printing and postage, and legal services, as shown in Table 2 above. While actual program spending in recent years has been lower (approximately \$35,000 per year and 0.3 FTE) than this overall spending authority given the actual number of athletic trainers regulated, the fiscal note indicates a reduction in the total spending authority allocated for this purpose.

Colorado Medical Board workload. The bill may increase workload in DORA for the Colorado Medical Board to promulgate rules regarding the exemption for athletic trainers providing services under the Medical Practice Act. This workload increase is expected to be minimal given that it is reinstating a prior exemption. No changes in appropriations are required for this purpose.

Centrally appropriated costs. In addition to the program costs above, the bill will also reduce centrally appropriated costs in DORA by \$5,866 in FY 2015-16 and \$6,005 in FY 2016-17. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are estimated based on current program staffing levels and, for FY 2015-16, include employee insurance costs (\$2,412), supplemental retirement payments (\$1,332) and indirect cost assessments (\$2,122).

Effective Date

The bill takes effect July 1, 2015.

State Appropriations

The bill requires a reduction in appropriations of \$87,563 and 1.3 FTE to the Department of Regulatory Agencies from the Division of Professions and Occupations Cash Fund.

State and Local Government Contacts

Regulatory Agencies Law