



Ohio Legislative Service Commission

Todd A. Celmar

Fiscal Note & Local Impact Statement

Bill: [H.B. 442 of the 128th G.A.](#)

Date: May 18, 2010

Status: As Introduced

Sponsor: Rep. Yuko

Local Impact Statement Procedure Required: No — Possible indirect local effects

Contents: To make changes regarding the provision of complementary or alternative health services

State Fiscal Highlights

- The Ohio Board of Dietetics and other professional licensing boards may experience a loss of license fee revenue and a corresponding decrease in operating costs if any current licensees choose to allow their licenses to lapse but continue to practice in a manner similar to their current profession.
- The bill may increase the costs of executive agencies, particularly health-related professional licensing boards, to handle complaints related to complementary or alternative health practitioners.

Local Fiscal Highlights

- The bill has no direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

The bill permits complementary or alternative health care practitioners to provide certain services if the practitioner does not engage in activities prohibited by the bill and complies with the disclosure requirements.

Potential impact on professional licensing

Under current law, unchanged by the bill, a person must be licensed by the Ohio Board of Dietetics to use the specific title "dietitian." The bill allows persons who do not have a license to designate themselves in a manner similar to a dietitian. If some licensed dietitians choose to allow their license to lapse but continue to practice in a manner similar to a dietitian, the Board would experience a loss of license fee revenue and a corresponding decrease in costs to license fewer dietitians. In FY 2009, the Board of Dietetics issued about 3,600 licenses and limited permits. That year, the Board's revenues totaled \$352,334. Initial licenses cost \$125 and renewals cost \$95 per year.

Other boards may similarly be affected if current licensees allow their licenses to lapse but continue to practice in a manner similar to their current profession. For example, a massage therapist who chooses to limit their practice to manually massaging only the hands, feet, or ears (R.C. 4783.01(A)(1)) may decide to not be licensed by the State Medical Board.

Potential complaints, investigations, and disciplinary actions

If there is an increase in the number of complementary or alternative health practitioners there could be an increase in the number of complaints filed against those individuals. Any increase in complaints will increase the costs of executive agencies, particularly health-related professional licensing boards, to respond to complaints, conduct investigations, and take disciplinary action.

Most occupational licensing and regulatory boards and commissions are funded through the Occupational Licensing Regulatory Fund (Fund 4K90). The exception is the State Medical Board, which is funded through the State Medical Board Operating Fund (Fund 5C60).

Potential indirect costs

As an indirect effect of the bill, court costs, fine revenue, and incarceration costs could increase if the agency or board investigating a complaint refers the matter to the local prosecutorial authority.

It is also possible that court costs and revenue could minimally increase if additional civil cases involving alternative health care practitioners are brought forward. When damages sought in civil cases are less than or equal to \$15,000, the case is filed with the county or municipal court, and when damages sought are greater than \$15,000, the case is filed in the court of common pleas.

HB0442IN.docx / lb