

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 210 (Delegate Stup, *et al.*)
Environmental Matters

**Licensed Physical Therapists and Licensed Physical Therapist Assistants -
Scope of Practice - Topical Pharmaceutical Agents**

This bill specifies that licensed physical therapists and licensed physical therapist assistants may personally prepare and dispense certain topical pharmaceutical agents if (1) they have a permit from the Board of Physical Therapy Examiners to dispense topical pharmaceutical agents; and (2) they comply with the requirements set forth by the bill and the board. In addition, the bill specifies that licensed physical therapists and licensed physical therapist assistants may store and apply to the skin topical pharmaceutical agents under certain specified circumstances. Only licensed physical therapists may purchase topical pharmaceutical agents.

Fiscal Summary

State Effect: Special fund revenues and expenditures could increase by a nominal amount beginning in FY 1998.

Local Effect: None.

Small Business Effect: Potential minimal effect on small businesses as discussed below.

Fiscal Analysis

State Effect: The Board of Physical Therapy Examiners advises that it intends to set dispensing permit fees at \$25. As a result, special fund revenues could increase by \$10,000 in fiscal 1998, assuming 400 new applications for dispensing permits in the first year. In addition, special fund expenditures could increase by \$130 in fiscal 1998. This estimate reflects the cost of mailing 400 permits. The cost of printing the permits could be absorbed within the board's appropriation for printing.

Fiscal Services advises that although the board would incur additional workload as a result of

the bill, the additional workload could be handled with existing staff. Consequently, it is anticipated that dispensing fees would be set at a nominal amount to cover the cost of mailing the permits since current law requires fees to approximate the cost of maintaining the board.

Any increase in disciplinary actions resulting from this bill for the Office of Administrative Hearings can be handled with existing resources.

Small Business Effect: It is expected that licensed physical therapists and physical therapist assistants who have a private practice or work in a health facility which employs only one physical therapist would most likely apply for a dispensing permit. It is estimated that 400 of the approximately 4,000 licensed physical therapists and physical therapist assistants are in this category.

The level of business activity for the 400 small businesses would increase since the scope of practice for licensed physical therapists and physical therapist assistants has increased under this bill.

In addition, this bill may increase competition between physical therapists who obtain a permit under this bill and pharmacists for the dispensing of certain topical pharmaceutical agents. This increased competition could have a negative effect on small business pharmacies.

Information Source(s): Office of Administrative Hearings; Department of Health and Mental Hygiene (Board of Physical Therapy Examiners, Mental Hygiene Administration); Department of Fiscal Services

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