

**Department of Legislative Services**  
 Maryland General Assembly  
 1999 Session

**FISCAL NOTE**

House Bill 1006 (Delegates Hubbard and Hammen)

Environmental Matters

**State Board of Acupuncture, State Board of Podiatric Medical Examiners, and State Board of Social Work Examiners - Enforcement Authority**

This bill expands and defines certain disciplinary actions that the State Board of Acupuncture, the State Board of Podiatric Examiners, and the State Board of Social Work Examiners may take against applicants and licensees.

**Fiscal Summary**

**State Effect:** Special fund revenues could increase by \$2,000 in FY 2000. Special fund expenditures could increase by \$5,800 in FY 2000. Future years reflect inflation.

(in dollars)	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
SF Revenues	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
SF Expenditures	\$5,800	\$5,900	\$5,900	\$6,000	\$6,000
Net Effect	(\$3,800)	(\$3,900)	(\$3,900)	(\$4,000)	(\$4,000)

*Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** Potential minimal. Acupuncturists, podiatrists, and social workers who are small businesses or self-employed and who face disciplinary action by their respective boards may be liable for hearing costs.

## Fiscal Analysis

**Bill Summary:** The bill requires an acupuncture, podiatry, or social work applicant or licensee to pay the costs of a disciplinary hearing if the applicant or licensee has committed any acts prohibited by law. An action may be brought in the name of the State or the respective board to enjoin the unauthorized practice of acupuncture, podiatry, or social work, or any conduct that is prohibited by law, and any action must be brought in the county where the defendant resides or engages in the act sought to be enjoined. The respective board may require a licensee under investigation to submit to an appropriate examination, paid for by the board, by a health care provider if the board has reason to believe the licensee may cause harm to a person. If a licensee refuses to submit to an examination, it is prima facie evidence of the licensee's inability to practice acupuncture, podiatry, or social work competently. In addition, the bill allows the Board of Acupuncture to deny a license to practice acupuncture to any applicant.

**State Revenues:** Special fund revenues for the boards could increase by \$2,000 in fiscal 2000. This figure reflects revenues received from recouped hearing fees. Each hearing costs \$490, including court reporter and transcript fees. It is estimated that the Acupuncture and Podiatric boards will each recoup the cost of one hearing, and the Social Work board will recoup the cost of two hearings. Future year revenues reflect inflation.

### **State Expenditures:**

*Boards:* Special fund expenditures for the boards could increase by \$5,800 in fiscal 2000. This estimate reflects the costs of four physical exams and four psychological exams required by the boards annually. Future year expenditures reflect inflation.

Acupuncture Board	1 physical exam	\$ 450
	1 psychological exam	\$1,000
Podiatry Board	1 physical exam	\$ 450
	1 psychological exam	\$1,000
Social Work Examiners Board	2 physical exams	\$ 900
	2 psychological exams	<u>\$2,000</u>
Total FY 2000 Revenues		\$5,800

*Office of Administrative Hearings (OAH):* The bill expands and defines the disciplinary actions that the respective boards may take, but no increase in the number of hearings is expected. Any additional hearings that may result, however, could be handled with existing OAH resources.

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**Information Source(s):** Department of Health and Mental Hygiene (Boards and Commissions), Office of Administrative Hearings, Department of Legislative Services

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