

Department of Legislative Services
 Maryland General Assembly
 1999 Session

FISCAL NOTE

House Bill 218 (Delegate Morhaim. *et al.*)

Environmental Matters

Maryland Opticians Act

This bill establishes certification requirements for opticians. The bill prohibits individuals from practicing ophthalmic dispensing unless certified by the board. The bill allows the Board of Physician Quality Assurance (BPQA) to investigate any complaints regarding certification or the quality of care in ophthalmic dispensing and requires the board to send a copy of each complaint to the Consumer Protection Division of the Office of the Attorney General. The board may adopt regulations to enforce this Act and may impose fines up to \$500 for each offense, which shall be paid to the general fund. The board may also determine and collect fees for certification.

Fiscal Summary

State Effect: General fund revenues would increase \$7,500 in FY 2000 and special fund revenues would increase \$117,500 in FY 2000. FY 2001 and 2002 revenues reflect a 10% increase each year in the number of applicants for certification. Future year revenues are expected to remain constant. Special fund expenditures would increase by \$59,000 in FY 2000 to implement regulation of opticians. Future year expenditures reflect annualization and inflation.

(in dollars)	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
GF Revenues	\$7,500	\$8,300	\$9,100	\$9,100	\$9,100
SF Revenues	\$117,500	\$129,300	\$142,200	\$142,200	\$142,200
GF Expenditures	0	0	0	0	0
SF Expenditures	\$59,000	\$66,000	\$68,800	\$71,200	\$73,600
Net Effect	\$66,000	\$71,600	\$82,500	\$80,100	\$77,700

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

Local Effect: None.

Small Business Effect: Potential minimal. Opticians who work for small businesses must apply for certification. Certification fees are \$125 per applicant.

Fiscal Analysis

State Revenues: The BPQA will be required to regulate a profession that it does not currently regulate. An estimated 1,000 individuals will have to apply for certification to practice as opticians. It is assumed that the number of applicants will increase 10% in each of fiscal 2001 and 2002. The number of applicants in out years is expected to remain constant. For fiscal 2000, BPQA would collect \$125,000 (1,000 applicants X \$125 certification fee). Under current law 94% of fees collected by BPQA are special funds, and 6% of collected fees are general funds. The board does not anticipate any significant revenue increase from the fine provision, because the board rarely imposes fines as a disciplinary measure.

State Expenditures: Special fund expenditures for the BPQA would increase \$59,000 in fiscal 2000 due to the need to hire 1 office clerk and 1 administrative specialist to process certification applications. This figure includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. Future year expenditures reflect full salaries with 3.5% annual salary increases and 3% employee turnover, and 1% annual increases in ongoing operating expenses. Any additional hearings conducted by the Office of Administrative Hearings could be handled with existing resources. In the absence of a response to a request for information, it is assumed that any additional investigations by the Consumer Protection Division of the Office of the Attorney General could be handled with existing resources.

Information Source(s): Department of Health and Mental Hygiene (Board of Physician Quality Assurance), Office of Administrative Hearings, Department of Legislative Services

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lnc/jr

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