

PREPARED BY: Mikayla Findlay
 DATE PREPARED: January 18, 2023
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LB 605

Revision: 00

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2023-24		FY 2024-25	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill adds certified art therapist to the Uniform Credentialing Act, provides definitions, and requires certification by the Department of Health and Human Services (DHHS) subject to the qualifications described. DHHS assumes the Art Therapy Certificate would be an option under the Mental Health Practitioner’s license and implementation costs would be shared within all other Mental Health Practitioner’s credentialing costs. An Art Therapy professional would be added to the Board of Mental Health Practice, thus necessitating an additional public member, at a total cost of \$2,400 annually. DHHS would need to modify the License Information System software, create applications and standards, and process and review additional applications. The total operational expenses total to \$13,355 in FY24 and \$9,616 in FY25. Revenues from the new fees for the Art Therapy Certification would total to \$2,750 in the FY24-25 biennium and \$2,075 each biennium thereafter. The fiscal impact of the bill’s expenditures and revenues can be absorbed within the current cash authority granted to DHHS Program 178 Professional Licensure.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	605	AM:	AGENCY/POLT. SUB: Nebraska Department of Health & Human Services
REVIEWED BY:	Ann Linneman	DATE:	2-21-2023
		PHONE:	(402) 471-4180
COMMENTS: The Nebraska Department of Health and Human Services’ analysis and estimate of fiscal impact to the department appears reasonable.			

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) John Meals

Date Prepared 2-17-2023

Phone: (5) 471-6719

	<u>FY 2023-2024</u>		<u>FY 2024-2025</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$0	\$0	\$0	\$0

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

LB 605 adds a certification of individuals allowing practice as a Licensed Art Therapist in Nebraska. The certification would become part of the Mental Health Practice Act and the Uniform Credentialing Act.

This fiscal note is based on an Art Therapy Certificate being issued as an option under a Mental Health Practitioner’s license. Costs to implement and operate this credentialing program would be shared with all other Mental Health Practitioner’s credentialing costs. This would allow the certification fee to be reasonable for the applicants. Otherwise, an independent certification program would need to establish a fee amount to cover the entire cost of the program and may be cost prohibitive for the applicants.

Per the initial application submitted as part of the 407 Credentialing Review Process, there are approximately 40 individuals that may currently qualify for the certificate or provisional certificate. Because the certification is interpreted to fall under the existing Mental Health Practitioner Credentialing Program, common costs associated with adding Art Therapist certifications would be consolidated with all Mental Health Practitioner common costs. This would reduce the net effective cost to the individual rather than assigning all cost to the certification alone.

LB 605 also adds an Art Therapy professional to the existing Board of Mental Health Practice. This would bring the total membership to 11, which then would require an additional public member per statute. The estimated expenditures to add 2 board members is approximately \$200 per member, per meeting. This estimate is based on holding 6 meetings per year. Total estimated cost is \$2,400 per year.

LB 605 authorizes the Department of Health and Human Services (DHHS) to create an advisory committee related to the practice of Art Therapy. The Art Therapy Advisory Committee may be formed to develop recommendations of standards and protocols to the Board of Mental Health Practice for consideration. This estimate is based upon appointing a committee of 4 members during the first 2 years to assist with the implementation of LB605. The estimated expenditures to add 4 committee members is approximately \$200 per member, per meeting. This estimate is based on a total of 6 committee meetings per year. The total estimated cost is \$4,800 per year.

DHHS estimates the following personnel costs would be incurred to develop and implement of LB 605:

A DHHS Program Manager II, Health Licensing Coordinator and Administrative Specialist is included for a total of 168 hours each to establish and prepare committees and boards to develop and implement the credentialing of Art Therapists. The work also includes creation of application for certification, publication of information and forms to the website and the subsequent review and issuance of initial applications. 88 hours is included during the first fiscal year with the remaining 80 hours during the second fiscal year. Beginning in FY2025 – FY2026, it is anticipated that an average of 24 hours per year would be required for the operation of the Art Therapist credentialing program. Using a composite rate of \$23.42 per hour, the estimated cost with benefits and operations costs would be approximately \$1,000 per year or \$2,000 per biennial cycle.

The License Information System (LIS) software will require modifications to add the full and provisional certification types under the Mental Health Practitioners program. An IT Business Systems Analyst is included for 80 hours to make these modifications.

Job Title	Position(s)			First Fiscal Year					5% increase	No. of Hours	Second Fiscal Year				
	Hourly Rate	No. of Hours	FTE	Pay	Benefits (35%)	Operating costs (26.7%)	Total	FTE			Pay	Benefits (35%)	Operating costs (26.7%)	Total	
V78792 DHHS Program Manager II	\$ 29,244	88	1.00	\$ 2,573	\$ 901	\$ 928	\$ 4,402	\$ 30,706	80	1.00	\$ 2,456	\$ 860	\$ 885	\$ 4,202	
X01740 - Health Licensing Coordinator	\$ 19,239	88	1.00	\$ 1,693	\$ 593	\$ 610	\$ 2,896	\$ 20,201	80	1.00	\$ 1,616	\$ 566	\$ 583	\$ 2,764	
K01014 - Administrative Specialist	\$ 18,443	88	1.00	\$ 1,623	\$ 568	\$ 585	\$ 2,776	\$ 19,365	80	1.00	\$ 1,549	\$ 542	\$ 558	\$ 2,650	
A07081 - IT Business Systems Analyst	\$ 23,982	80	1.00	\$ 1,919	\$ 671	\$ 692	\$ 3,282	\$ 25,181			\$ -	\$ -	\$ -	\$ -	
	\$ -			\$ -	\$ -	\$ -	\$ -	\$ -			\$ -	\$ -	\$ -	\$ -	
			4.00	\$ 7,808	\$ 2,733	\$ 2,814	\$ 13,355			3.00	\$ 5,622	\$ 1,968	\$ 2,026	\$ 9,616	

Revenue:

Given the certification is under the Mental Health Practice Act, and if the same fees are applied to art therapists and provisional art therapists as those currently charged for certified marriage and family therapists, master social workers, and professional counselors, the fees would be \$50 for the certification as an art therapist (initial and renewal fee) and \$125 for initial certification as a certified provisional art therapist.

	Biennium 2023-2025	Thereafter
\$50 certification fee for 30 members	\$1,500	
\$125 provisional certification fee for 10 members In the initial year of full implementation	\$1,250	
\$50 certification fee for 39 individuals per biennium		\$1,950
\$125 provisional certification fee for 1 per biennium biennially		\$ 125
Total estimated revenue per biennial cycle:	\$2,750 biennially	\$2,075 biennially

The Uniform Credentialing Act is operated under Program 178 – Professional & Occupational Credentialing. LB 605 costs would be offset by cash income received in fees under the Mental Health Practitioner category. Current cash authority in program 178 is sufficient to absorb these costs.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	23-24	24-25	2023-2024 EXPENDITURES	2024-2025 EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
TOTAL.....				