

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 488

SHORT TITLE: Respiratory Care Practice Act

SPONSOR(S): Representative Barnhill

FISCAL IMPACT:

Expenditures:	Increase ()	Decrease ()
Revenues:	Increase ()	Decrease ()
No Impact (X)		
No Estimate Available ()		

FUND AFFECTED:

General Fund ()	Highway Fund ()	Local Fund ()
Other Fund ()		

BILL SUMMARY: Adds new Article 28 to G.S. Chapter 90. Creates NC Board of Respiratory Care, consisting of seven members, one member each to be: (1) respiratory care practitioner whose primary practice is managing respiratory care services; (2) practitioner who is educator at state community college or university; (3) practitioner whose primary practice is respiratory home care; (4) practitioner whose primary practice is clinical respiratory care; (5) physician whose primary practice is pulmonology; (6) physician whose primary practice is anesthesiology; and (7) member of public. Board members to be appointed on or before Oct. 1, 1993; Governor to appoint (5), (6), and (7); General Assembly on recommendation of House Speaker to appoint (1) and (2) and on recommendation of Senate President Pro Tempore to appoint (3) and (4). Defines "respiratory care" as treatment, management, diagnostic testing, and care of patients with deficiencies and abnormalities associated with cardiopulmonary system; term includes inhalation therapy and respiratory therapy. Defines "practice of respiratory care" as respiratory care under medical direction in accordance with written or verbal order of licensed physician; term includes acceptance, transcription, interpretation, and implementation of physician's written or verbal order concerning practice of respiratory care; it also includes diagnostic and therapeutic uses specified in act. Board's powers include determining qualifications and fitness of applicants for licenses, renewal of licenses, and reciprocal licenses; issuing, revoking, and suspending licenses; adopting rules; and conducting investigations. Board to set fees, not to exceed following amounts: (1) initial application, \$25; (2) examination or reexamination, \$150; (3) issuance of license, \$100; (4) renewal of license, \$50; (5) late renewal of license, \$50; and (6) provisional license, \$35. After Oct. 1, 1995, it is unlawful for person without license to engage in practice of respiratory care; use title "respiratory care practitioner;" use letters "RCP;" or imply orally or in writing that person is licensed respiratory care practitioner. Violation of article is misdemeanor punishable by maximum imprisonment of two years and fine.

EFFECTIVE DATE: October 1, 1993

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: Judicial Department,
Department of Correction

FISCAL IMPACT

<u>FY</u> 93-94	<u>FY</u> 94-95	<u>FY</u> 95-96	<u>FY</u> 96-97	<u>FY</u> 97-98
EXPENDITURES	0	0	0	0
RECURRING				
NON-RECURRING				
REVENUES/RECEIPTS	0	0	0	0
RECURRING				
NON-RECURRING				

POSITIONS: No new positions.

ASSUMPTIONS AND METHODOLOGY: Upon review of this bill, it is concluded that there will be no substantial impact on the court system. A minimal increase in the number of annual administrative appeal filings is expected. These would be non-jury civil cases in which the superior court would review decisions made by the North Carolina Board of Respiratory Care. In addition, after October 1, 1995 a few misdemeanor charges under proposed G.S. 90-420 relating to practicing respiratory care without a license are anticipated. The expected impact from the small number of both civil and criminal cases resulting from this bill would be minimal. However, it is important to note that at some point, the cumulative additional workload from bills that impact upon the courts cannot simply be absorbed, and additional resources would be required.

SOURCES OF DATA: Administrative Office of the Courts

TECHNICAL CONSIDERATIONS: N/A

FISCAL RESEARCH DIVISION

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DATE: 26-MAR-93

[FRD#003]



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