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FISCAL IMPACT REPORT

ORIGINAL DATE

SPONSOR Martinez, R. **LAST UPDATED** _____ **HB** 478

SHORT TITLE Recreational Therapy Practice Board and License **SB** _____

ANALYST Martinez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		\$122.2	\$113.7	\$235.9	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation and Licensing Department (RLD)

SUMMARY

Synopsis of Bill

House Bill 478 (HB 478) The Bill will establish a Recreational Therapy Board to provide for licensure of Recreational Therapists, providing for renewal, denial, suspension, revocation and reinstatement of licenses to practice recreational therapy and establish penalties. The Board would consist of five members and duties would include: examining applicants for licensure, regulate the practice of recreational therapy, including disciplinary action as it deems necessary, provide timely orientation and training of new professional and public appointees, establish by rules, educational requirements, publish annually a list of programs that meet educational standards and also publish disciplinary action taken against any recreational therapist.

FISCAL IMPLICATIONS

The RLD Comments

This is an unfunded mandate, the bill does not contain an appropriation to administer this new act or for start-up costs; The Board will need to receive an appropriation of at least \$137,300 in order to carry out the functions mandated by the Act.

It is estimated that this legislation will authorize licensure of possibly 200 people. Per Diem and mileage for board meetings and hearings will be costly, particularly when the revenues will likely be very low.

SIGNIFICANT ISSUES

Currently there are four states that have licensure for Recreational Therapy.

The Utah board of Recreational Therapy was contacted to estimate the number of licensees, fees, and provisions of a Recreational Therapy board. Utah currently licenses over 300 Therapeutic Recreational Technicians (TRTs), another 300 Therapeutic Recreational Specialist (TRS), and 60 Master Recreational Therapeutic Specialist (MTRS). Each level of licensee is required to pay a one-time application fee of seventy dollars (\$70.00), and a bi-annual renewal charge of forty-seven dollars (\$47.00). A representative of the Utah board of Recreational Therapy expressed concerns that this particular board generates very little revenue.

All licensees in the state of Utah are required to complete thirty hours of continuing education every two hours.

The RLD comments:

The Recreational Therapy Board will be administratively attached to, and operate under the Regulation and Licensing Department. To ensure the board provides efficient licensing, compliance, and regulatory services, the Board will need to employ a Board Administrator and a licensing clerk, and with a projection of 200 possible licensees, the license fees will have to be set high to generate sufficient income to sustain the on-going administrative operation of the board. Also, the act grants the board authority to collect fees as necessary to carry out the provisions of the act however it does not create a fund (general or non-reverting) for the fees to be deposited into.

The definition of recreational therapy is similar to the definition of occupational therapy. The Department currently licenses individuals who meet the requirements to be licensed as an occupational therapist.

Recreational Therapy means a treatment service designed to restore remediate and rehabilitate an individual's level of functioning and independence in life activities and promote health and wellness as well as reduce or eliminate the activity limitations and restrictions to participation in life situations caused by an illness or disabling condition.

Occupational therapy means the therapeutic use of everyday life activities with persons or groups to participate in roles and situation in home school, workplace, community and other settings to promote health and wellness in clients who have or are at risk for developing an illness, disease, disorder, condition, impairment,, disability, activity limitation or participation restriction.

ALTERNATIVES

Instead of creating an entire new board just to regulate a small group of practitioners, there is the possibility of simply creating a new license type under the Occupational Therapy Board, if there is a need for the desired regulation. Alternatively, a memorial could be introduced requesting that a study be done to determine whether or not this regulation is necessary.

RM/blm