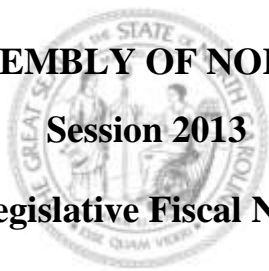


GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2013

Legislative Fiscal Note

BILL NUMBER: House Bill 828 (Second Edition)

SHORT TITLE: Update Physical Therapy Practice Act.

SPONSOR(S): Representatives Fulghum, Hollo, Faircloth, and Murry

FISCAL IMPACT					
(\$ in millions)					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No Estimate Available					
State Impact	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
General Fund Revenues:					
General Fund Expenditures:					
State Positions:					
NET STATE IMPACT	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:					
NC Department of Justice					
EFFECTIVE DATE: Becomes effective when law.					
TECHNICAL CONSIDERATIONS:					
None					

BILL SUMMARY:

House Bill 828 would amend the Physical Therapy Practice Act to authorize the Board to remove Board members for causes listed, to conduct confidential investigations, to request the Department of Justice provide criminal background checks in connection with licensure or an investigation, to issue subpoenas, to establish programs for helping with recovery and rehabilitation of licensees who have chemical or alcohol addictions or mental health problems, and to acquire, hold, and dispose of real property subject only to the approval of the Governor and the Council of State. House Bill 828 would also authorize licensure of foreign-trained physical therapy assistants and temporarily allow the practice of physical therapy without licensure in this State during natural disasters, athletic competitions, and performing arts exhibitions.

House Bill 828 would authorize the Department of Justice to charge the applicant a fee to offset the cost incurred to conduct a criminal history record check. The fee shall not exceed the actual cost of locating, editing, researching, and retrieving the information.

Source: Committee Counsel

ASSUMPTIONS AND METHODOLOGY:

The proposed legislation would allow the Physical Therapy Board to ask for a background check on physical therapists and physical therapy assistants; however, it would not require that a check be completed for every physical therapist or physical therapy assistant in North Carolina. Based on information the Department of Justice (DOJ) received from the Physical Therapy Board, the DOJ estimates that 2 or less background checks would be requested each month. Therefore, the DOJ does not anticipate the need to request additional staff for processing workload increases.

The Department of Justice would charge a \$38.00 fee for a criminal fingerprint check of national and state criminal records that would be charged to the applicant or to the office requesting the service. This fee is similar to the one used to process checks of adult care home staff and other DHHS regulated functions. Because it is not known how many background checks will be requested by the board, no estimate is available for the amount of revenue generated by the fee.

SOURCES OF DATA: NC Department of Justice

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

PREPARED BY:

Maggie Morrissey

Rodney Bizzell

APPROVED BY:

Mark Trogon, Director
Fiscal Research Division

DATE: May 29, 2013



Signed Copy Located in the NCGA Principal Clerk's Offices