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Office

H.B. 151
(I_133_0263-4)
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 151's Bill Analysis](#)

Version: In House Health

Primary Sponsor: Rep. Carfagna

Local Impact Statement Procedure Required: No

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Highlights

- The bill requires the State Chiropractic Board to deposit \$25 of each biennial chiropractic physician license renewal fee in the Chiropractic Loan Repayment Fund, used by the Ohio Department of Health (ODH), which is created by the bill. As a result, approximately \$62,500 is expected to be deposited each even-numbered year into this fund. However, the Board would realize a corresponding loss of renewal fee revenue deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90) unless fees were adjusted in rule to account for this.
- The Board may experience an increase in costs to create a registration process for animal chiropractic practitioners and to investigate any related violations of the bill's prohibitions. If any fees were charged for this registration, these could be used to offset some costs.
- The Board and the State Veterinary Medical Licensing Board may realize a minimal increase in costs related to rule promulgation.
- ODH will experience an increase in costs to administer the Chiropractic Loan Repayment Program, to designate chiropractic health resource shortage areas, provide staff to the Chiropractic Loan Repayment Advisory Board, and to adopt rules.

Detailed Analysis

Chiropractic Loan Repayment Program

The bill creates the Chiropractic Loan Repayment Program within ODH. Under the program, ODH may repay all or part of an educational loan taken by a chiropractor in exchange for the chiropractor providing services in chiropractic health resource shortage areas, which the Director of ODH is required to designate. ODH is required to administer the program in

cooperation with the Chiropractic Loan Repayment Advisory Board, which is created by the bill. ODH is required to provide staff to the Advisory Board as requested and adopt rules as necessary to implement and administer the program.

The bill outlines specifications for eligibility, repayment amounts, and applying for the program. Under the bill, no repayment may exceed \$10,000 in any year and the total repayment cannot exceed \$30,000. If a repayment amount results in an increase in a participating chiropractor's tax liability, the chiropractor may request reimbursement for the increase. The bill specifies that, if a chiropractor fails to complete services during the first two years of the service obligation, the chiropractor must pay ODH one and a half times the total repayment amount. For a failure to complete service after the first two years of the service obligation, the chiropractor must pay ODH one and a half times any amount that still remains to be repaid by ODH. These damages must be paid to the credit of the Chiropractic Loan Repayment Fund.

The bill requires the State Chiropractic Board to deposit \$25 of each biennial chiropractic physician renewal fee and any damages from default into the Chiropractic Loan Repayment Fund, which is created by the bill. The bill also establishes the Chiropractic Health Resource Shortage Area Fund, in which all gifts accepted for the program must be deposited.

Fiscal impact

Currently, each chiropractor must pay a fee of \$500 to renew his or her license before the renewal deadline of March 31 of each even-numbered year. This fee is established in the Ohio Administrative Code. These fee revenues are currently deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90), which is used by the State Chiropractic Board for its operations. In FY 2018, there were approximately 2,500 active chiropractic licenses in Ohio. The bill requires \$25 of each renewal fee to be deposited into the Chiropractic Loan Repayment Fund. As such, approximately \$62,500 would be deposited each even-numbered year into this fund rather than into Fund 4K90. As a result, revenues currently retained by the State Chiropractic Board will be decreased. However, the Board may increase the license renewal fee in rule.

ODH may experience an increase in costs to administer the Chiropractic Loan Repayment Program, to designate chiropractic health resource shortage areas, provide staff to the Chiropractic Loan Repayment Advisory Board, and to adopt rules.

Animal chiropractic

The bill generally prohibits chiropractors who are not animal chiropractic practitioners from (1) practicing animal chiropractic and (2) representing themselves to be animal chiropractic practitioners. The bill requires animal chiropractic practitioners to register with the State Chiropractic Board. The bill also requires the Board to maintain a list of those individuals registered and make the list available to the public.

The bill requires animal chiropractic practitioners to require an application for care form to be completed by the animal's owner before providing care to the animal. The form is to disclose certain information and obtain authorization for the provision of animal chiropractic.

The bill specifies that if the Board conducts an investigation or takes action against a chiropractor concerning an allegation of harm to an animal from the practice of animal chiropractic, the Board is required to retain as an expert witness a licensed veterinarian. The bill

also specifies that a chiropractor may be disciplined related to the practice of animal chiropractic in a manner similar to existing law related to the practice of chiropractic.

The bill permits the Board to adopt rules regarding animal chiropractic, but requires consultation with the State Veterinary Medical Licensing Board regarding any rules related to standards of medicine or care for an animal.

Fiscal impact

The Board may incur costs to create a registration process for animal chiropractic practitioners and to investigate any violations of the bill's prohibitions. The Board may also incur costs to retain a licensed veterinarian as an expert witness in any investigations or actions. It is possible that the Board may charge a registration fee for these practitioners. If a fee is charged, any revenues collected could be used to offset some costs. The State Chiropractic Board and the State Veterinary Medical Licensing Board may experience a minimal increase in administrative costs related to rule promulgation.

Acupuncture certificates and annual meetings

The bill extends the length of time that an acupuncture certificate is valid from one year to two and requires the Board to establish a schedule for the biennial expiration of certificates. The bill authorizes the Board to take any action it considers necessary for the purpose of converting the certificates to a biennial schedule. The bill also eliminates the requirement that the Board hold an annual meeting in September of each year and requires elections for board president to be held at the first board meeting held in each odd-numbered year, rather than at every annual September meeting.

Fiscal impact

According to the State Chiropractic Board, the change to the acupuncture certificates is codifying current practice. Thus, there should be no impact associated with these provisions.

Synopsis of Fiscal Effect Changes

The substitute bill, I_133_0263-4, specifies that if the State Chiropractic Board conducts an investigation or takes action against a chiropractor concerning an allegation of harm to an animal from the practice of animal chiropractic, the Board is required to retain as an expert witness a licensed veterinarian. The substitute bill also specifies that a chiropractor may be disciplined related to the practice of animal chiropractic in a manner similar to existing law related to the practice of chiropractic. As a result, the Board may incur costs to retain a licensed veterinarian as an expert witness in any investigations and may incur other costs related to disciplinary actions and investigations. These provisions were not included in the previous substitute bill, I_133_0263-2.

The substitute bill, I_133_0263-4, also permits the Board to adopt rules regarding animal chiropractic, but requires consultation with the State Veterinary Medical Licensing Board regarding any rules related to standards of medicine or care for an animal. The State Chiropractic Board and the State Veterinary Medical Licensing Board may experience a minimal increase in administrative costs related to rule promulgation. Again, this provision was not included in the previous substitute bill, I_133_0263-2.

The substitute bill makes other changes which should have no significant fiscal impact.