

March 4, 2020

The Honorable Bud Estes, Chairperson  
Senate Committee on Federal and State Affairs  
Statehouse, Room 136-E  
Topeka, Kansas 66612

Dear Senator Estes:

**SUBJECT:** Fiscal Note for SB 452 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 452 is respectfully submitted to your committee.

SB 452 would create the Massage Therapist Licensure Act. The bill would require the State Board of Healing Arts to regulate and license massage therapists practicing in Kansas. The bill includes requirements for licensure and the maximum fees that could be charged for application and licensing. The bill outlines the powers, duties and functions of the Board regarding the regulation and licensure of massage therapists.

The Board of Healing Arts states that enactment of SB 452 would result in a significant change in the agency's responsibilities. The Board would need to train licensing staff on this new licensing group. Board staff would also need to draft and implement rules and regulations and create applications, forms, booklets, and other affected on-line or agency website items to reflect the new regulatory status of licensure and the new scope of practice. Reports and complaints of practitioners not complying with new licensure category requirements may increase the number of investigations and disciplinary cases assigned to and performed by board staff. Substantial changes would also need to be made to the Board's electronic database and on-line renewal system; however, most of this work could be accomplished in-house with existing IT staff.

The agency indicates that 2.00 additional FTE positions, 1.00 Legal Assistant and 1.00 Licensure Analyst, would be required to fulfill the new licensing and regulatory requirements in the bill. Salary and benefit costs for the new positions are estimated at \$115,243 in FY 2021. Annual other operating expenditures to support the new positions are estimated to be \$2,400. Annual travel expenditures for a six-member advisory committee are estimated at \$1,800. One-time expenditures for additional office furniture and equipment are estimated to be \$14,000 in FY

2021. Publication costs related to the promulgation of rules and regulations are estimated to be \$1,260 in FY 2021. One-time costs for the development of applications, forms, and other affected on-line or agency website items are estimated to be \$1,000 in FY 2021.

The agency will have additional revenue from licensing fees. However, since the number of potential new licensees is unknown, the amount of additional revenue cannot be estimated. Any fiscal effect associated with SB 452 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in cursive script that reads "L. L. Campbell". The signature is written in dark ink and is positioned above the printed name and title.

Larry L. Campbell  
Director of the Budget

cc: Susan Gile, Board of Healing Arts