

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 3332 - HB 3580

March 2, 2010

SUMMARY OF BILL: Requires an advanced practice nurse or physician's assistant to be under the direct supervision of a licensed physician or osteopathic physician who is actively practicing spinal injections when performing invasive procedures involving any portion of the spine, spinal cord, sympathetic nerves, or block of major peripheral nerves in an office-based surgery suite. Defines "direct supervision" as being physically present in the same building as the advanced practice nurse or physician assistant at the time the invasive procedure is performed. The Boards of Medical Examiners and Osteopathic Examination shall have the authority to discipline a physician including civil penalties up to \$1,000.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – Not Significant/Board of Medical Examiners

Board of Nursing

Board of Osteopathic Examination

Committee on Physician Assistants

Increase State Expenditures – Not Significant/Board of Medical Examiners

Board of Nursing

Board of Osteopathic Examination

Committee on Physician Assistants

Assumptions:

- There may be an increase in investigations and prosecutions of physicians who improperly delegate or supervise these procedures and for advanced practice nurses and physician assistants who improperly perform the procedures.
- Any cost incurred to perform the investigations is estimated to be not significant and can be accommodated within existing resources of the Boards of Medical Examiners, Nursing and Osteopathic Examination and the Committee on Physician Assistants.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period. As of June 30, 2008, the Board of Medical Examiners (\$108,302.81), the Committee on Physician Assistants (\$28,052.28), and the Board of Nursing (\$119,142.17) had positive balances. The Board of Osteopathic Examination had deficits of \$65,678.63 in FY06-07 and \$47,354.67 in FY07-08.
- The Boards' FY08-09 balances are not yet available.

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- Any increase in civil penalties assessed against a practitioner will not result in a significant increase in revenue to the Boards.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "James W. White". The signature is written in a cursive style with a large initial "J" and a distinct "W".

James W. White, Executive Director

/kml