TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE

FISCAL NOTE

HB 2122 - SB 2073

March 24, 2011

SUMMARY OF BILL: Establishes a five-year statute of limitations for disciplinary actions against physicians by the Board of Medical Examiners and against osteopathic physicians by the Board of Osteopathic Examination.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- According to the Department of Health (DOH), there were 3,278 complaints processed against practitioners licensed by the Board of Medical Examiners or Board of Osteopathic Examiners from 2008 through 2010. Of this number, an average of 153 complaints per year were complaints where the alleged violation occurred about three to four years, or more, prior to receipt of the complaint.
- The Office of Investigations estimates that approximately one percent, or about two complaints, are referred to the Office of General Counsel (OGC) for further legal action.
- A substantial majority of complaints that may be affected by the proposed bill are Medical Malpractice Payment Reports, where the reporting entity waits for the conclusion or settlement of any civil proceedings before filing a complaint with the concerned regulatory Board.
- The proposed changes in the Boards authority to file notice of charges against licensees will not result in a significant regulatory or fiscal impact to the Boards.
- 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, 2010, the Board of Medical Examiners had a balance of $890,444.43 and the Board of Osteopathic Examiners had a balance of 95,105.43.

CERTIFICATION:

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

James W. White, Executive Director

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