



SB 55 - HB 781

March 2, 2020

SUMMARY OF ORIGINAL BILL: Creates the Professional Art Therapist Advisory Committee of the Board of Examiners in Psychology. The advisory committee is to consist of three members who are licensed as professional art therapists and shall be actively engaged in the practice or teaching of art therapy in this state at the time of their appointment by the Governor. Authorizes the committee to issue licenses to qualified applications. Entitles members to travel and other appropriate expenses while engaged in committee business. Requires the Division of Health Related Boards in the Department of Health (DOH) to provide administrative support to the committee. Creates a Class B misdemeanor offense for unauthorized use of the title “licensed professional art therapist”, or “professional art therapist” and for conducting business as such without appropriate licensure. The proposed legislation takes effect upon becoming law. The creation of the Class B misdemeanor offense takes effect January 1, 2021.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – \$15,000/FY19-20/Board of Examiners in Psychology
\$15,000/FY20-21/Board of Examiners in Psychology
\$11,300/FY21-22 and Subsequent Years
/Board of Examiners in Psychology

Increase State Expenditures – \$1,500/FY19-20 and Subsequent Years
/Board of Examiners in Psychology

Other Fiscal Impact – Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Examiners in Psychology had an annual surplus of \$64,956 in FY16-17, an annual surplus of \$26,945 in FY17-18, and a cumulative reserve balance of \$1,085,308 on June 30, 2018.

SUMMARY OF AMENDMENT (015480): Deletes and rewrites all language after the enacting clause such that the only substantive changes are: (1) places the Advisory Committee under sunset review with the first termination date on June 30, 2022, (2) adds language stating upon which grounds the Advisory Committee may deny a person’s application for license, restrict, suspend, or revoke an existing license, or take other action that the Advisory Committee deems proper; and (3) changes the effective date of the creation of the Class B misdemeanor offense from January 1, 2021 to July 1, 2021.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Increase State Revenue – \$15,000/FY20-21/Board of Examiners in Psychology
\$15,000/FY21-22/Board of Examiners in Psychology
\$11,300/FY22-23 and Subsequent Years
/Board of Examiners in Psychology**

**Increase State Expenditures – \$1,500/FY20-21 and Subsequent Years
/Board of Examiners in Psychology**

Other Fiscal Impact – Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Examiners in Psychology had an annual surplus of \$26,945 in FY17-18, an annual surplus of \$4,356 in FY18-19, and a cumulative reserve balance of \$1,082,079 on June 30, 2019.

Assumptions for the bill as amended:

- The art therapist license will cost \$300. The biennial renewal fee will be \$225.
- It is estimated there are approximately 100 art therapists in the state. For this analysis, it is assumed licensure for art therapist will remain constant.
- Assuming 50 percent become licensed in FY20-21, the increase in state revenue is estimated to be \$15,000 [(100 art therapists x 50.0%) x \$300].
- The remaining 50 percent will be licensed in FY21-22, the increase in state revenue is estimated to be \$15,000 [(100 art therapists x 50.0%) x \$300].
- In FY22-23 and subsequent years, there will be licensure renewal fee revenue resulting in an increase in state revenue of \$11,250 [(100 art therapists x 50.0%) x \$225].
- Based on information provided by the DOH, the Board can accommodate the proposed legislation utilizing existing resources.
- The advisory committee will consist of three members and will meet four times a year.
- It is estimated the three committee members will receive mileage reimbursement of \$123 to attend each meeting. The recurring increase in state expenditures is estimated to be \$1,476 (\$123 x 4 meetings x 3 members).
- The total recurring increase in state expenditures in FY20-21 and subsequent years is estimated to be \$1,476.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Examiners in Psychology had an annual surplus of \$26,945 in FY17-18, an annual surplus of \$4,356 in FY18-19, and a cumulative reserve balance of \$1,082,079 on June 30, 2019.
- There will not be a sufficient number of Class B misdemeanor prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

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

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

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