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FISCAL IMPACT STATEMENT

LS 6434

BILL NUMBER: HB 1103

NOTE PREPARED: Dec 27, 2011

BILL AMENDED:

SUBJECT: Spinal Manipulation.

FIRST AUTHOR: Rep. Davis

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that a health practitioner may not perform spinal manipulation or spinal adjustment unless the practitioner has statutory authority to differentially diagnose and meets certain educational requirements. The bill excludes physicians and osteopaths from the requirements. The bill provides for disciplinary sanctions for violations.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *Summary-* A licensed physical therapist would not be able to perform spinal manipulation or spinal adjustment on a patient. Violators would be subject to disciplinary sanctions by the Indiana Physical Therapy Committee (IPTC). Violations brought to the IPTC would increase the number of IPTC administrative hearings to be held and the associated expense. The impact to the IPTC expenditures is expected to be minimal.

Background- The IPTC operates under the General Fund appropriation for the Professional Licensing Agency (PLA). As of September 2011, there were 5,408 actively licensed physical therapists.

Explanation of State Revenues: *Summary-* Disciplinary sanctions could include revocation or suspension of a physical therapist's license, censure, issuance of a letter of reprimand, probationary status, and/or the assessment of a fine up to \$1,000 per violation. Revenue from fines is anticipated to be minimal, but would depend on the number of practitioners brought to administrative hearing and then fined by the IPTC..

Court Fee Revenue: If additional civil actions occur and court fees are collected, revenue to the state General

Fund may increase. A civil costs fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$5), judicial salaries fee (\$19), public defense administration fee (\$5), court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 civil costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected: PLA, IPTC.

Local Agencies Affected: Trial courts, city and town courts.

Information Sources: Professional Licensing Agency active license count September 2011.

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