

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 3157**  
**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

DATED: FEBRUARY 7, 2023

**SUMMARY**

**Synopsis:** Allows passage of Certified Respiratory Therapist examination to qualify for licensure as respiratory therapist.

**Type of Impact:** Annual State Expenditure and Revenue Increases.

**Agencies Affected:** Department of Law and Public Safety.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Cost Increase</b>	Indeterminate
<b>State Revenue Increase</b>	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill will cause indeterminate annual expenditure increases to the State Board of Respiratory Care under the Division of Consumer Affairs in the Department of Law and Public Safety to issue additional licenses and anticipates these expenditures to be offset by revenues paid through Certified Respiratory Therapist application and licensure fees.
- The OLS estimates that the board may experience recurring workload increases from the new application and licensing requirements, which may require additional guidelines, review, and enforcement by the board.

**BILL DESCRIPTION**

This bill adds language to the current law governing the licensure of respiratory therapists, which allows for the passage of the Certified Respiratory Therapist examination, offered by the National Board for Respiratory Care, to qualify an individual for licensure by the State Board of Respiratory Care.

## FISCAL ANALYSIS

### *EXECUTIVE BRANCH*

None received.

### *OFFICE OF LEGISLATIVE SERVICES*

The OLS finds that the bill will cause indeterminate annual expenditure and revenue increases within the State Board of Respiratory Care under the Division of Consumer Affairs in the Department of Law and Public Safety to issue additional licenses. The bill increases the options for the examinations an individual can take to qualify as a respiratory therapist and will widen the pool of applicants for initial applications and licenses. The OLS also anticipates these expenditures to be offset by revenues paid by the newly licensed respiratory therapists through application and licensure fees. Depending on the division's resource allocation policies, however, the added workload may or may not augment State administrative expenditures.

The OLS notes that the application fee charged by the Board of Respiratory Care is \$125, the initial licensure fee is \$160, and the biennial renewal fee is also \$160. The initial application fee and the license renewal fee are currently being waived through June 30, 2023.

**State Board of Respiratory Care Background** - The provisions of the Respiratory Care Practitioner Act of 1991 created the State Board of Respiratory Care. This board licenses and regulates respiratory therapists in New Jersey. Respiratory care is the health specialty involving the treatment, disease management, control, and care of patients with deficiencies and abnormalities of the cardiac and pulmonary systems. Respiratory care practitioners administer oxygen and other medical gases to patients and perform treatments and tests under the supervision of medical doctors. The U.S. Bureau of Labor Statistics indicated that in 2021 there were 135,800 respiratory therapists nationwide, and the FY 2023 Budget data indicated there were 3,568 respiratory care licenses in force in the State in FY 2021.

Presently, the law only recognizes passage of the Registered Respiratory Therapist Examination offered by the National Board for Respiratory Care to qualify for licensure. During the Assembly Regulated Professions committee meeting on January 12, 2023, it was noted that 49 other states recognize the passage of the Certified Respiratory Therapist examination as qualifying applicants for licensure.

*Section:*           *Law and Public Safety*

*Analyst:*          *Kristin Brunner Santos*  
                          *Lead Fiscal Analyst*

*Approved:*       *Thomas Koenig*  
                          *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).