

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 897
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: FEBRUARY 13, 2020

SUMMARY

Synopsis: Provides for temporary travel license to practice chiropractic.

Type of Impact: Annual State revenue and expenditure increases.

Agencies Affected: Department of Law and Public Safety

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase		Indeterminate	
State Revenue Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that the bill will cause indeterminate increases in annual State revenues and expenditures to issue temporary travel licenses to out-of-state chiropractors to practice and treat patients in New Jersey. The OLS, however, cannot assess the net effect of the two increases given the absence of information on the future cost of regulating the temporary travel license program and on future license fee and penalty collections.

BILL DESCRIPTION

This bill requires the State Board of Chiropractic Examiners in the Division of Consumer Affairs to issue a temporary travel license to any person who has been examined and licensed to practice chiropractic by the examining and licensing board of another state or jurisdiction of the United States having requirements for examination and licensure substantially equivalent to those required in New Jersey.

The temporary travel license must be issued without further examination upon application and payment of a license fee and will allow the traveling chiropractor to visit, examine, treat, or advise a specific patient or client, or give a demonstration of a procedure or clinic provided that the care, consultation, demonstration, clinic, or other services are within the scope of practice of chiropractic.

Under the bill, the board may issue a temporary travel license for not more than 14 days during any calendar year to a visiting chiropractor who meets specific requirements. The board has the discretion to extend the temporary travel license.

In addition, the bill sets forth certain provisions in which the board may terminate the temporary travel license of any visiting chiropractor at any time. If the board terminates the temporary travel license, then the board must provide written notification of the termination to the visiting chiropractor detailing the basis for the termination. Upon receiving written notification of the termination, the visiting chiropractor must immediately cease the practice of chiropractic in this State. Finally, the bill requires the board to provide a copy of the written notification of the termination to the examining or licensing board of each state or jurisdiction in which the visiting chiropractor is licensed.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will cause indeterminate increases in annual State revenues and expenditures to issue temporary travel licenses to out-of-state chiropractors to practice and treat patients in New Jersey. The OLS, however, cannot assess the net effect of the two increases given the absence of information on the future cost of regulating the temporary travel license program and on future license fee and penalty collections. The bill permits the State Board of Chiropractic Examiners to charge a reasonable fee for the issuance of the temporary travel license.

The New Jersey Division of Consumer Affairs website indicates that there are over 3,000 active licensed chiropractors in the State. In 2017, the American Chiropractic Association Sports Council indicated that over 34 states issued a variation of a temporary travel or “travel-to-treat” license for chiropractors. In many cases, these chiropractors were providing services for specific athletic and performing arts events.

State Revenue Increases: The bill will increase annual State revenue collections from licensure fees, fines, and penalties by indeterminate amounts.

The OLS cannot quantify the licensure fee payments the board will collect from the temporary travel license because the bill leaves the setting of the specific fee levels to the board’s discretion and because the number of future license issuances is unknown.

Additionally, it is unknown how many active out-of-state licensees may have registered differently if these provisions had been previously available. For example, under this bill if an out-of-state chiropractor paid for a two-year professional license at the established fee and the temporary license fee is set at a lower rate, the chiropractor may change the method of licensure in the State resulting in lower revenue collections from licenses.

Moreover, the OLS anticipates that the State may annually collect indeterminate fine and penalty payments from violations of statutory and regulatory requirements applicable to the established temporary license.

State Expenditure Increase: The State will incur an annual expenditure increase with the establishment of the licensure. The board’s regulatory activities may lead to additional, likely marginal, increases in State expenditures. The OLS, however, cannot determine the magnitude of

the increase due to uncertainty regarding the number of professionals who will be regulated and the operational decisions the board will make.

Section: Law and Public Safety

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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.).