

BILL SUMMARY
1st Session of the 52nd Legislature

Bill No.:	HB 1069
Version:	CCS
Author:	Rep. Tibbs/Sen. Paddack
Date:	May 5, 2009
Impact:	Dependent on the number of hearings

Bill Summary

Research Analyst: Marcia Goff

The Conference Committee Substitute added a new section that delays, from 2010 until 2012, the requirement that applicants for a license to practice as a licensed alcohol and drug counselor possess a master's degree.

The CCS for HB 1069 also modifies the conditions under which the State Department of Health can deny an individual's application to be a Licensed Professional Counselor, a Licensed Marital and Family Therapist or a Licensed Behavioral Practitioner to include a determination by the department that a felony conviction of an applicant is of such a nature as to render the person unfit to practice. The measure also allows for an administrative hearing to contest the determination be held prior to the department denying the application.

Fiscal Summary

Fiscal Analyst: Mark Newman

The CCS for HB 1069 amends portions of the Licensed Professional Counselors Act, the Marital and Family Therapist Licensure Act, and the Licensed Behavioral Practitioner Act. The CCS for HB 1069 extends the effective date for education requirements for drug and alcohol counselors from January 1, 2010 to January 1, 2012. This legislation stipulates that if the Oklahoma State Department of Health (OSDH) decides to deny, revoke, suspend, or place on probation any license because a felony conviction renders the person convicted unfit to practice under their specific license, the licensee must be afforded the opportunity for an administrative hearing to contest the determination prior to the final action.

Fiscal Analysis

Based on information provided by the Oklahoma State Department of Health (OSDH), the fiscal impact associated with the CCS for HB 1069 will be the cost of conducting the administrative hearing. OSDH estimates that there could be as many as ten (10) cases per year, where a license applicant has a felony conviction, but it is less probable that all ten cases would require an administrative hearing. The hourly cost of conducting such an administrative hearing is \$8,398.60. The fiscal impact for the CCS for HB 1069 will be dependent upon the number of cases requiring an administrative hearing and the number of hours required to conduct such hearings.

Long Term Fiscal Considerations

The time required investigating and conducting an administrative hearing, the hourly cost of conducting an administrative hearing, and the number of cases requiring hearings will determine the potential cost of the CCS for HB 1069. If OSDH does not decide to deny, revoke, suspend, or place on probation any license because OSDH determines the felony conviction does not render the person convicted, unfit to practice under their specific license, then no administrative hearings would be necessary.

Fiscal Analysis Reviewed By:

Janice Buchanan

House Fiscal Director