

Small Business Regulatory Fairness Board

Small Business Impact Statement

Date: June 24, 2016

Rule Number: 20 CSR 2150-2.270 – Discipline of Assistant Physician Licensure

Name of Agency Preparing Statement: DIFP, Professional Registration, State Board of Registration for the Healing Arts

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Please describe the methods your agency considered or used to reduce the impact on small businesses (*§536.300 RSMo, examples: consolidation, simplification, differing compliance, differing reporting requirements, less stringent deadlines, performance rather than design standards, exemption, or any other mitigating technique*).

Section 334.036, RSMo, authorizes the Board to promulgate rules to protect the public and discipline the profession; and authorizes the Board to deny licensure or suspend and revoke any assistant physician license in in the same manner and for violation of the standards as set forth by section 334.100, RSMo, or such other standards of conduct set by the board by rule. As sections 334.102 and 334.103, RSMo, also sets for disciplinary procedures for individuals licensed by Chapter 334, RSMo.

Please explain how your agency has involved small businesses in the development of the proposed rule.

Since the passage of SB716, the Board's website has included information about assistant physician laws and provides the public with rule updates.

SB 716 and the draft rules for licensure were discussed at the following meetings and conference calls of the State Board of Registration for the Healing Arts:

- September 7, 2014 – Conference Call
- October 23-24, 2014 – Board Meeting
- October 27, 2014 – Conference Call
- January 22-23, 2015 – Board Meeting
- April 28, 2015 – Meeting with Deans of Medical Schools and Primary Care Residency Programs
- May 14-15, 2015 Board Meeting
- July 23-24, 2015 – Board Meeting
- September 21, 2015 – Assistant Physician Committee Conference Call
- September 27, 2015 – Conference Call
- October 22-23, 2015 Board Meeting

Following the May 14-15, 2015 board meeting, approximately 24,500 individuals and entities were notified of the draft rules. A summary of the feedback and comments were reviewed by the Board at the July 23-24, 2015 Board meeting. The Board received the following feedback:

- 25 Comments to Support the Rules
- 12 Comments in Opposition
- 21 Comments with Questions
- 100 Comments with Suggested Changes

Please list the probable monetary costs and benefits to your agency and any other agencies affected. Please include the estimated total amount your agency expects to collect from additionally imposed fees and how the moneys will be used.

A fiscal note has been prepared with estimates of the Board's expenditures.

Please describe small businesses that will be required to comply with the proposed rule and how they may be adversely affected.

Assistant physicians will be expected to adhere to this rule if their license is subject to discipline.

Please list direct and indirect costs (in dollars amounts) associated with compliance.

This cost is unknown due the nature of disciplinary violations and the amount of time the applicant/licensee and their attorney may spend to rectify the matter before the Board or the Administrative Hearing Commission.

Please list types of business that will be directly affected by, bear the cost of, or directly benefit from the proposed rule.

Physicians, assistant physicians and consumers of healthcare will benefit from this rule.

Does the proposed rule include provisions that are more stringent than those mandated by comparable or related federal, state, or county standards?

Yes ___ No X

If yes, please explain the reason for imposing a more stringent standard.

For further guidance in the completion of this statement, please see §536.300, RSMo.