

Small Business Regulatory Fairness Board

Small Business Impact Statement

Date: April 1, 2016

Rule Number: 20 CSR 2255-1.040 Fees (Proposed Amendment)

Name of Agency Preparing Statement: DIFP, Professional Registration, Missouri Board for Respiratory Care

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Name of Person Approving Statement: Katie Steele Danner

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 334.850, RSMo requires the board to set fees at a level to produce revenue that does not substantially exceed the cost. Section 334.850, RSMo, caps the amount that can be held in the board's fund at three times the board's appropriation before the board's funds are placed in general revenue. Based on the board's five year projections, the board finds it necessary to reduce these fees to prevent funds from exceeding the maximum fund balance as set forth in section 334.850, RSMo.

The current rule sets the application fee for respiratory care therapists at \$55 and the fee for a respiratory care temporary permit at \$40. The proposed amendment reduces the fees to \$40 and \$20 respectively.

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

This matter was discussed by the board via a conference call on February 3, 2016 at which time approval was given to proceed with the one time reduction in renewal fee.

After the proposed rule amendment is filed with the Secretary of State's Office, a public notice for this rulemaking will be published in the Missouri Register and posted on the board's website. Any comments received prior to the close of the public comment period will be considered and addressed prior to filing the final order of rulemaking.

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.

The proposed amendment will decrease revenue for the board by approximately \$9,040 during the first two years of implementation. The reduction in revenue will not affect the board negatively, as it is the board's duty to reduce fees to a level that is not excessive to carry out the duties of the board. A fiscal note has been filed in accordance with sections 526.200 and 526.205, RSMo.

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

Respiratory care therapists will benefit from the fee decreases in the proposed amendment.

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

The proposed amendment will lower the fees associated with licensure. The application fee for a respiratory care therapist will be reduced from \$55 to \$40 and a temporary permit for a respiratory care therapist will be reduced from \$40 to \$20.

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

Applicants for respiratory care therapist licensure will pay reduced fees.

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.