

# CORRECTIONS IMPACT STATEMENT

SESSION: 15RS BILL #: SB 170 Introduced BR #: 1199 DOC ID#: BR119900.100 - 1199 - 3910

BILL SPONSOR(S): Sen. J. Adams AMENDMENT SPONSOR(S):

SUBJECT: AN ACT relating to the licensure of genetic counselors and making an appropriation therefor.

**SUMMARY OF LEGISLATION:** Create new sections of KRS Chapter 311 to establish a framework for licensure of genetic counselors; define terms; preclude a person from practicing genetic counseling after January 1, 2016, without a license issued by the board; prohibit a person from holding himself out as a genetic counselor without a license issued by the board; exempt certain individuals from licensure; establish licensure requirements and procedures to obtain a regular license, temporary license, and reciprocal license; establish renewal and continuing education requirements; direct the board to promulgate administrative regulations relating to the licensure and regulation of genetic counselors, including a fee schedule; create the Kentucky Genetic Counselors Advisory Committee; set up membership, meeting, and quorum requirements; direct all moneys collected to be deposited into a trust and agency fund to be used by the board to carry out the provisions of and to defray the costs of the licensing and regulation process; permit the board to refuse to issue, renew, suspend, or revoke a license, or impose supervisory or probationary conditions upon a licensee for certain acts or actions; permit a person whose license has been revoked to petition the board for reinstatement after five years; require the board to set matters of license denial, revocation, or disciplinary measures for administrative hearing in accordance with KRS Chapter 13B; grant right to appeal to an aggrieved party in the Circuit Court of the county of residence; amend KRS 331.990 to establish a penalty for practicing genetic counseling without a license as a Class B misdemeanor for a first offense and Class A misdemeanor for a second or subsequent offense; APPROPRIATION.

This  bill  amendment  committee substitute is expected to:

Have the following Corrections impact  Have no Corrections impact

- |  |  |
|--|--|
| <input type="checkbox"/> Creates new crime(s)                              | <input type="checkbox"/> Repeals existing crime(s)               |
| <input type="checkbox"/> Increases penalty for existing crime(s)           | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration                           | <input type="checkbox"/> Decreases incarceration                 |
| <input type="checkbox"/> Reduces inmate/offender services                  | <input type="checkbox"/> Increases inmate/offender services      |
| <input type="checkbox"/> Increases staff time or positions                 | <input type="checkbox"/> Reduces staff time or positions         |
| <input type="checkbox"/> Changes elements of offense for existing crime(s) |  |
| <input type="checkbox"/> Otherwise impacts incarceration (Explain) _____   |  |

**STATE IMPACT:** Class A, B & C felonies are based on an average daily prison rate of \$60.38. Most Class D felons are housed in one of 78 full service jails for up to 5 years. DOC's cost to incarcerate a felony inmate in a jail is \$32.92 per day (includes jail per diem, medical & central office costs), not including substance abuse treatment. Projections are based on the daily rate x 365 x number of years.

**Projected Impact:**  NONE  MINIMAL  MODERATE  SIGNIFICANT

Creates no new felonies.

**LOCAL IMPACT:** Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. While the expense varies by jail, this estimated impact will be based on \$32.25 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

**Potential Impact:** This bill proposal defines the term for a genetic counselor, establishes the licensure process and the penalty for a license violation. Any person who violates the licensure process shall be guilty of a Class B misdemeanor for the first offense, and a Class A misdemeanor for a second or subsequent offense.

Based on the \$32.25 per diem rate, the local impact is estimated as follows:

A Class B misdemeanor is up to 90 days in jail.	10 Class B misdemeanants: up to \$28,703.
1 Class B misdemeanant: up to \$2,870.	100 Class B misdemeanants: up to \$287,025.
A Class A misdemeanor is 90 days to 1 year in jail	10 Class A misdemeanants: \$29,025 to 117,713.
1 Class A misdemeanant: \$2,903. to \$11,771.	100 Class A misdemeanants: \$290,250 to \$1.1M.

**The following offices contributed to this Corrections Impact Statement:**

Dept. of Corrections  Dept. of Kentucky State Police  Administrative Office of the Courts  Parole Board  Other

**NOTE:** Consideration should be given to the cumulative impact of all bills that increase the felon population or that impose new obligations on state or local governments.

**APPROVED BY:** \_\_\_\_\_

Commissioner, Kentucky Department of Corrections

\_\_\_\_\_ Date