

**FISCAL NOTE  
PUBLIC COST**

- I. Department Title: Department of Health and Senior Services  
Division Title: Division of Regulation and Licensure  
Chapter Title: Controlled Substances**

<b>Rule Number and Name:</b>	19 CSR 30-1.080 Electronic Prescribing Waiver
<b>Type of Rulemaking:</b>	Proposed Rule

**II. SUMMARY OF FISCAL IMPACT**

<b>Affected Agency or Political Subdivision</b>	<b>Total Fiscal Impact in the Aggregate, During Emergency Rule Period</b>
<b>Department of Health and Senior Services – Bureau of Narcotics and Dangerous Drugs</b>	<b>\$58,953</b>

**III. WORKSHEET**

Maximum number of waiver requests expected annually: 28,143  
Estimated number of requests processed per hour: 5 requests/ person  
Total hours per year (40 per week, 50 working weeks per year): 2,000

Number of FTE required to process requests per year:  
 $28,143 \text{ requests} \div 5 \text{ request/hour} \div 2,000 \text{ hours/week} = 2.8 \text{ FTE}$

Annual salary for 1 FTE (Program Assistant) = \$39,302

Total annual cost of processing waiver requests:  
 $\$39,302 \times 3 \text{ FTE} = \$117,906$

Emergency Rule Period: Dec. 30, 2020 to June 28, 2021 (26 weeks or ½ year)  
Pro-rated total cost:  $\$117,906 \div 2 = \$58,953$

**IV. ASSUMPTIONS**

1. It is unknown how many practitioners will request waiver from electronic prescribing. Only those practitioners with a Missouri Controlled Substance Registration can prescribe controlled substances within the state of Missouri, so the maximum number of requests is based on the total number of registered practitioners, not including veterinarians who are statutorily exempt from the electronic prescribing requirements in section 195.550, RSMo. The total number of individual practitioners with current Missouri Controlled Substance Registrations who may request a waiver from electronic prescribing is:

APRNs	1,991
Assistant Physicians	21
Dentists (DMD)	694
Dentists (DDS)	2,116
Optometrists	679
Physicians (DO)	3,304
Physicians (MD)	18,649
Physician Assistants	431
<u>Podiatrists (DMP)</u>	<u>258</u>
TOTAL	28,143

2. Processing a waiver request will require a staff person to review the request to ensure that all information required by rule is provided and that it meets one of the requirements for obtaining a waiver (economic hardship, technological limitation, or other exceptional circumstance). Once the determination has been made, an email will be sent to the requesting practitioner letting them know that their request was granted or denied. Information about the requesting practitioner and their waiver request will then be entered into a spreadsheet for tracking. This entire process is estimated to take 10-15 minutes per request.

3. Personnel with the position “Program Assistant” will be responsible for processing requests. These personnel have an annual salary of \$39,302. It is assumed that each assigned Program Assistant will work full time (40 hours per week) processing requests for 50 weeks per year (2 non-working weeks per year are assumed).

4. The rate at which practitioners will request waivers is unknown. However, because the number of requests that may be processed at any one time are based on a determined amount, it is assumed that requests will be processed at this rate for an ongoing basis until all such requests are processed. Because waivers may only be issued for one year, it is assumed that all waiver requests received during a year will be processed in that year.