

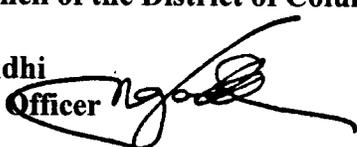
Government of the District of Columbia  
Office of the Chief Financial Officer



Natwar M. Gandhi  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Vincent C. Gray  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi  
Chief Financial Officer 

**DATE:** January 30, 2009

**SUBJECT:** Fiscal Impact Statement: "Practice of Nursing Amendment Act of 2009"

**REFERENCE:** Bill 18-39, As Introduced

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**Conclusion**

Funds are sufficient in the FY 2009 through FY 2012 budget and financial plan to implement the provisions of the proposed legislation.

Revenues generated from new nursing assistive personnel registration fees would be used to offset the cost of additional resources required to implement the proposed legislation. In order for the expected additional revenues to be available for expenditure, appropriation authority will be required.

**Background**

The proposed legislation would amend the Health Occupations Revision Act of 1985<sup>1</sup> to:

- Amend the definitions of "practice of advanced practice registered nursing," "practice of practical nursing," and "practice of registered nursing;"
- Provide a definition for "practice by nursing assistive personnel;"
- Require the Board of Nursing to regulate the practice of nursing assistive personnel;

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<sup>1</sup> Effective March 25, 1986. D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*

- Require the Mayor to appoint an executive director to administer and implement the orders of the Board of Nursing in accordance with Chapter 12 of Title 3 of the D.C. Official Code;<sup>2</sup>
- Amend the education requirements for practical nursing licensure;
- Require nursing assistive personnel to register with the Mayor; and
- Require the Mayor to issue rules setting forth the required standards for education and experience for nursing assistive personnel.

### **Financial Plan Impact**

Funds are sufficient in the FY 2009 through FY 2012 budget and financial plan to implement the provisions of the proposed legislation.

Subject to the applicable laws relating to the appropriation of District of Columbia funds, new nursing assistive personnel registration fees deposited into the Health Occupations Regulation Fund would be used by the Department of Health (DOH) without fiscal year limitation as set forth in D.C. Official Code § 7-733. As provided in D.C. Official Code § 3-1204.09, the Mayor has the authority to establish fees for all services related to the regulation of all health occupations listed in Chapter 12 of Title 3 of the D.C. Official Code. Given this authority, the Office of the Chief Financial Officer concurs with DOH that revenues generated from new nursing assistive personnel registration fees would be sufficient to offset the cost of additional resources required to implement the proposed legislation. In order for the expected additional revenues to be available for expenditure, appropriation authority will be required.

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<sup>2</sup> This is already a "*de facto*" position filled by a District employee. This provision makes it a "*de jure*" (by law) position.