

FISCAL NOTE
Requested by Legislative Council
01/29/2007

Amendment to: HB 1431

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

| | 2005-2007 Biennium | | 2007-2009 Biennium | | 2009-2011 Biennium | |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | \$0 | \$0 | \$0 | \$1,164,498 | \$0 | \$1,362,707 |
| Expenditures | \$0 | \$0 | \$655,926 | \$1,164,498 | \$767,188 | \$1,362,707 |
| Appropriations | \$0 | \$0 | \$655,926 | \$1,164,498 | \$767,188 | \$1,362,707 |

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

| 2005-2007 Biennium | | | 2007-2009 Biennium | | | 2009-2011 Biennium | | |
|--------------------|--------|------------------|--------------------|--------|------------------|--------------------|--------|------------------|
| Counties | Cities | School Districts | Counties | Cities | School Districts | Counties | Cities | School Districts |
| \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill would enact a new section 26.1-36 of the NDCC prohibiting a health insurer from imposing penalties for the dispensing of specific drugs for the treatment of epilepsy; and to amend and reenact section 19-02.1-14.1 of the NDCC restricting pharmacists from dispensing substitute epilepsy drugs.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The fiscal impact was calculated based on the historical expenditure increase of nearly 20% for this class of drugs for the 2007-09 biennium. For the 2009-11 biennium the increase was estimated to be 17%.

The expenditures noted above were calculated based on the 2007-09 projected utilization in the executive budget.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

For the 2007-09 biennium \$1,164,498 in federal funds would be received.

For the 2009-11 biennium \$1,362,707 in federal funds would be received.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

For the 2007-09 biennium a total of \$1,820,424 would be expended; \$655,926 in general funds and \$1,164,498 in federal funds.

For the 2009-11 biennium a total of \$2,129,895 would be expended; \$767,188 in general funds and \$1,362,707 in federal funds.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

For the 2007-2009 biennium the Department would need an appropriation of \$1,820,424 of which \$655,926 would be general funds and \$1,164,498 would be federal funds.

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