



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

August 30, 2018

S. 808

Sports Medicine Licensure Clarity Act of 2017

*As reported by the Senate Committee on Health, Education, Labor, and Pensions
on July 9, 2018*

S. 808 would allow sports medicine professionals licensed in one state to provide medical services when traveling with athletic teams without obtaining licenses to practice in other states. The bill also would require insurers to cover the liability of those professionals when they provide such medical services outside of their home state.

CBO estimates that enacting S. 808 would have no significant effect on the federal budget and would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 808 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

S. 808 would impose an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) by preempting state medical licensing laws. The bill would prohibit states from requiring sports medicine professionals to become licensed in the state if the professional is traveling with an athletic team and is licensed in another state. CBO estimates that the loss of any licensing fees resulting from the mandate would be small and would not exceed the threshold for intergovernmental mandates established in UMRA (\$80 million in 2018, adjusted annually for inflation).

The bill also would impose a private-sector mandate as defined in UMRA by requiring providers of medical professional liability insurance to cover the medical services of sports medicine professionals when they work outside the state in which they are licensed. Based on an analysis of information from industry sources, CBO expects that the number of affected policyholders would be small relative to all holders of medical professional liability insurance and we estimate that the incremental cost to provide the expanded coverage would be small as well. Therefore, CBO estimates that the cost to comply with the mandate would fall below the annual threshold established in UMRA for private-sector mandates (\$160 million in 2018, adjusted annually for inflation).

The CBO staff contacts for this estimate are Janani Shankaran (for federal costs) and Andrew Laughlin (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.