

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 23, 2003

TO: Honorable Jaime Capelo, Chair, House Committee on Public Health

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB3088 by Dukes (Relating to excepting a benefits appeals committee for a public self-funded health plan from deliberating the medical or psychiatric records of an individual applicant for a benefit.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Texas Open Meetings Act to except from open meetings requirements a meeting of a benefits appeals committee for a public self-funded health plan when conducting a meeting to deliberate the medical or psychiatric records of an individual applicant for a benefit from the plan. The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2003.

"Benefits appeals committee" is not defined, but the Employees Retirement System of Texas (ERS) assumes that the proposed change in statute would apply to the ERS board of trustees and would therefore provide the board with flexibility to consider appeals from denial of Uniform Group Insurance Plan health benefits to the extent that the benefits at issue are self-funded. The ERS does not foresee a significant fiscal impact from the proposed change.

If a benefits appeals committee is part of a local government entity, that entity would experience the same impact proportionately to the ERS.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 327 Employees Retirement System, 356 Texas Ethics Commission

LBB Staff: JK, EB, RR, DLBa