

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 30, 2003

TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB504 by Ogden (Relating to a lien on a cause of action or claim of an individual who receives emergency medical services.), **Conference Committee Report**

No fiscal implication to the State is anticipated.

The bill would amend Chapter 55, Property Code, to allow emergency medical service providers, whether government-operated or not, in a county with a population of 575,000 or less to obtain a lien against an individual who receives emergency medical services for injuries caused by an accident that is attributed to the negligence of another person if the individual obtained the services not later than 72 hours after the accident. The lien would be for the amount charged for services except any excessive charges or those covered by and paid by insurance and not to exceed \$1,000. The bill would take effect September 1, 2003 and would apply only to emergency medical services provided on or after that date.

Local Government Impact

If an emergency medical service (EMS) operated by a local government entity located in a county with a population of 575,000 or less were to attach a lien on a cause of action or claim, the EMS would be able to recoup expenses related to providing services for which payment might not otherwise be collected. This would provide a positive fiscal impact for a city- or county-operated EMS, and would vary depending on how frequently and in what amount payment for services were not rendered, not to exceed \$1,000 per patient, and the frequency with which a local government EMS were to choose to attach a lien.

As an example of costs for emergency medical services provided by a county-operated EMS, according to information available on the Williamson County (population 249,967) website, there is a charge of \$82.50 for basic aid without being transported to a hospital. The charge for basic life support is \$375, for advanced life support is \$400, and for transport to a hospital is an additional \$6.60 per mile from the location where the patient is picked up to the hospital. Williamson County indicates that approximately 10 percent of individuals that receive emergency medical treatment from Williamson County EMS do not have insurance coverage. The county contracts with a collection agency when bills go unpaid.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 455 Railroad Commission, 501 Department of Health

LBB Staff: JK, JRO, GO, JB, DLBa