

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 14, 2003**

**TO:** Honorable Helen Giddings, Chair, House Committee on Business & Industry

**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.), **Committee Report 2nd House, As Amended**

**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 100,000 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 100,000 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.

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

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