

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 13, 2005

TO: Honorable Dianne White Delisi, Chair, House Committee on Public Health

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB563 by Janek (Relating to the prevention of Medicaid fraud; providing penalties.),
Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

It is assumed that implementation of the bill can be accomplished within existing resources. The Office of the Attorney General anticipates a positive fiscal impact on general revenue or other legislatively-designated account. This bill would clarify the Attorney General's investigative and civil enforcement authority and enhance the Attorney General's ability to recover for the state restitution plus double damages, prejudgment interest, civil penalties of \$1,000 to \$10,000 for each unlawful act, and reimbursement of the Attorney General's reasonable attorneys' fees, expenses, and costs. During the previous biennium, the Attorney General states that the agency has recovered over \$27 million from unscrupulous health care providers in qui tam actions under Chapter 36.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 452 Department of Licensing and Regulation, 529 Health and Human Services Commission, 539 Department of Aging and Disability Services, 696 Department of Criminal Justice

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