

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 20, 2005**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

**IN RE: SB1815** by Armbrister (Relating to reimbursement under the workers' compensation system for certain surgical assistants.), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
--

The bill would amend the Labor Code by adding section 408.0295, to state that an insurance carrier may not refuse to reimburse a health care practitioner solely because the practitioner is a surgical assistant licensed under Chapter 206, Occupations Code for a covered service performed at the request of a physician providing health care services under this subtitle. The bill would specify that a surgical assistant described by this section shall be reimbursed on the same basis as a physician assistant, nurse practitioner, or clinical nurse specialist who functions as a first assistant in surgery. The bill would apply to a claim for workers' compensation benefits that occurs on or after the effective date of the bill.

Based on the analysis of the Texas Workers' Compensation Commission, it is assumed any costs or duties associated with implementing the bill could be absorbed within existing resources.

The bill would take effect on September 1, 2005.

**Local Government Impact**

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

**Source Agencies:** 453 Workers' Compensation Commission

**LBB Staff:** JOB, SR, MW, TG