

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 1, 2007

TO: Honorable Patrick M. Rose, Chair, House Committee on Human Services

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

IN RE: HB1369 by Macias (Relating to the procedure for filling prescriptions for nursing home residents.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code by adding section 242. If a nursing facility determines that a resident is covered by a health insurance policy or other private health benefit plan that provides prescription drug benefits, the facility may fill a prescription for a covered medication only if the facility (1) is a network provider under the resident's policy or plan; or (2) receives written authorization from the resident or legally authorized representative to fill the prescription. The facility also can fill the prescription if it is immediately necessary to administer the medication to prevent probable death or substantial bodily harm to the resident.

The Department of Aging and Disability Services and the Board of Pharmacy indicated that there would be no fiscal impact to implement provisions of the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 515 Board of Pharmacy, 539 Aging and Disability Services, Department of

LBB Staff: JOB, CL, PP, ML