

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 14, 2009**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB392** by Bohac (Relating to the availability and use of automated external defibrillators in nursing homes and related institutions.), **As Passed 2nd House**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend Chapter 242, Health & Safety Code (nursing home licensing statute) by adding section 242.159 that would require each licensed nursing home to have an automated external defibrillator (as defined in section 779.001, Health & Safety Code) available for use in accordance with the training, use, and notification requirements of Chapter 779, Health & Safety Code. Each institution would have at least one employee present who is trained in the proper use of an automated external defibrillator.

The Department of Aging and Disability Services indicated that no costs for equipment acquisition would be incurred by the agency. Any additional work resulting from the passage of the bill could be reasonably absorbed within current resources; however, any costs incurred by providers pursuant to implementation of the provisions of the bill would be a Medicaid-eligible expenditure and as such could provide the basis for a request for a rate increase.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 539 Aging and Disability Services, Department of

**LBB Staff:** JOB, SD, CL, ML, LR