

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

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

**May 12, 2009**

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

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

**IN RE: HB4290** by Smithee (Relating to retrospective utilization review and utilization review to determine the experimental or investigational nature of a health care service.), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Labor Code regarding the use of retrospective utilization review and utilization review to determine the experimental or investigational nature of a health care service for workers compensation claims. The bill would also result in the Texas Department of Insurance amending rules to implement the provisions of the bill. Any additional workload from the passage of the bill could be handled with existing agency resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JOB, KJG, CH