

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION
Revision 1

April 29, 2009

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

IN RE: SB296 by West (Relating to the disclosure of certain payments or other transfers of value by manufacturers of prescription drugs, medical devices, and medical supplies; providing a penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code and require manufacturers of prescription drugs or medical devices to report any payment or transfer of value to physicians, organizations that employ physicians, or certain health care organizations. The reports are to be submitted to the Office of the Attorney General (OAG) and the OAG would be required to publish the reports on its website and submit a yearly report to the legislature. In addition, the OAG could impose a civil penalty of not less than \$500 but not more than \$2,500 for each violation of failing to report the aforementioned required information. The amount of the revenue than may be generated as a result of the civil penalty is not anticipated to be significant. In addition, the OAG indicates that any additional work resulting from implementation of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 537 State Health Services, Department of

LBB Staff: JOB, CL, JM, BM