

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 11, 2011

**TO:** Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

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

**IN RE: HB1013** by Brown (Relating to the powers and duties of the Texas Medical Board.),  
**Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1013, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$0
2013	\$0
2014	\$0
2015	\$0
2016	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1	Probable Revenue Gain from General Revenue Fund 1	Change in Number of State Employees from FY 2009
2012	(\$75,684)	\$75,684	2.0
2013	(\$75,684)	\$75,684	2.0
2014	(\$75,684)	\$75,684	2.0
2015	(\$75,684)	\$75,684	2.0
2016	(\$75,684)	\$75,684	2.0

Fiscal Analysis

The bill would amend the Occupations Code relating to the powers and duties of the Texas Medical Board (TMB). The bill would require TMB to notify a physician by personal delivery or certified mail who is the subject of a complaint filed with the board that a complaint has been filed and shall provide the physician with a copy of the complaint, including a statement of the alleged violation in plain language. Based on the provisions of the bill a complaint must be provided to the physician without redaction unless the complaint is filed by a patient of the physician; a patient's parent or legal guardian if the patient is a minor; a patient's agent under a power of attorney; or there is a risk of harm to the public or the notice would jeopardize an investigation.

This bill would take effect September 1, 2011.

**Methodology**

For the purposes of this analysis TMB estimates that 1.0 Clerk III (\$23,000 per year) would be needed to prepare/process mail and 1.0 Administrative Assistant III (\$31,500 per year) would be needed to perform the redactions. The agency’s analysis also assumes additional costs for equipment, furniture and software license costs of approximately \$3,000 per FTE, totaling \$6,000 each fiscal year. The total impact to TMB to implement the provisions of the bill would be \$54,500 (Salaries/Wages) + \$15,184 (Benefits) + \$6,000 (Associated Staff Costs) = \$75,684 each fiscal year.

Based on the analysis of TMB, it is assumed that the Board would adjust license fees to cover any additional costs associated with the implementation of this bill based on the analysis of the agency.

**Local Government Impact**

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

**Source Agencies:** 360 State Office of Administrative Hearings, 503 Texas Medical Board

**LBB Staff:** JOB, NV, CL, MW