

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 4, 2011

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

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

IN RE: HB1034 by Shelton (Relating to unlawful acts against and criminal offenses involving the Medicaid program.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the list of unlawful acts constituting Medicaid fraud to include knowingly causing a claim to be made under the Medicaid program for certain services or products. It is assumed that the number of such occurrences would be small and any resulting costs could reasonably be absorbed within the existing resources of any affected state agency, including the Office of the Attorney General.

The bill would also amend the Penal Code to include knowingly causing a claim to be made under the Medicaid program for certain services or products in the list of offenses constituting Medicaid fraud. Expanding the list of behaviors for which a penalty is applied for any criminal offense is expected to result in increased demands upon the correctional resources of counties or of the State due to longer terms of probation, or longer terms of confinement in county jail, state jail, or prison. For this analysis, it is assumed that the number of offenders convicted under this statute would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

Local Government Impact

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

Source Agencies: 529 Health and Human Services Commission, 302 Office of the Attorney General

LBB Staff: JOB, ES, CL, NB, LR