

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 26, 2011

TO: Honorable Jim Jackson, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB2438 by Sheets (Relating to interest on damages subject to Medicare subrogation.), **As Introduced**

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| No significant fiscal implication to the State is anticipated. |
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The bill would amend the Civil Practice and Remedies Code to provide that interest does not accrue on the unpaid damages of an award to a plaintiff subject to Medicare subrogation until the defendant receives a recovery demand letter issued by the Center for Medicare and Medicaid Services or its designated contractor. According to the Office of the Attorney General, the bill would only affect Medicare and does not impact the state's Medicaid recovery. Accordingly, no significant fiscal implication to the state is anticipated. The bill would take effect September 1, 2011.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission

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