

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 30, 2011

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

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

IN RE: SB798 by Nelson (Relating to the amounts of administrative penalties assessed or imposed against certain health facilities.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for SB798, As Engrossed: a positive impact of \$288,000 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	\$144,000
2013	\$144,000
2014	\$144,000
2015	\$144,000
2016	\$144,000

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from <i>General Revenue Fund</i> 1
2012	\$144,000
2013	\$144,000
2014	\$144,000
2015	\$144,000
2016	\$144,000

Fiscal Analysis

The bill would increase the maximum administrative penalty from \$1,000 to \$25,000 per violation, per day, for certain health care facilities licensed by the Department of State Health Services (DSHS) under Health and Safety Code Chapters 241 (hospitals), 243 (ambulatory surgical centers), and 251 (end-stage renal disease facilities).

The bill would take effect September 1, 2011.

Methodology

DSHS estimates that there would be 18 enforcement cases per fiscal year, and that the provisions of the bill would result in an additional \$8,000 in penalties per case. The increased revenue to

the State would total \$144,000 per fiscal year.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of
LBB Staff: JOB, CL, MB, VJC, NB