

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 4, 2011**

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

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

**IN RE: SB1857** by Zaffirini (Relating to the administration of medication for persons with intellectual and developmental disabilities.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Human Resources Code relating to the administration of medications for persons with intellectual and developmental disabilities.

Section 2, Subsection (a) of the bill would direct the Texas Board of Nursing (BON) and the Texas Department of Aging and Disability Services (DADS) to conduct a pilot program to evaluate License Vocational Nurses (LVN) providing on-call services by telephone to clients (as defined in 161.091, Human Resources Code), who are under the care of LVNs. Under the provisions of the bill, the LVNs must use standardized and validated protocols or decision trees in performing the telephone services. DADS would be required to collect data to evaluate the efficacy of the pilot program. The bill would require that the program must begin no later than 9/1/2011 and end on 8/31/2012.

Subsection (b) would require the BON and DADS to take certain actions related to the pilot program in consultation with stakeholders (both before and after the program).

Subsection (c) would require the BON and DADS, not later than 12/1/2012, to submit a report detailing the findings of the pilot program and any joint recommendations to certain committees of the House and Senate.

Subsection (d) of provides that Section 2 would expire on 9/1/2013.

Based on the analysis of the Texas Board of Nursing and the Texas Department of Aging and Disability Services, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect immediately upon receiving a two-thirds majority vote in each house. If the bill does not receive a two-thirds vote in each house, the bill would take effect September 1, 2011.

**Local Government Impact**

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

**Source Agencies:** 507 Texas Board of Nursing, 539 Aging and Disability Services, Department of  
**LBB Staff:** JOB, CL, MW, CWS