

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 23, 2013

TO: Honorable Tan Parker, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2598 by Davis, Yvonne (Relating to AIDS, HIV, and hepatitis education and testing for inmates, state jail defendants, and employees of the Texas Department of Criminal Justice.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2598, As Introduced: a negative impact of (\$7,065,110) through the biennium ending August 31, 2015.

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
2014	(\$3,532,555)
2015	(\$3,532,555)
2016	(\$3,532,555)
2017	(\$3,532,555)
2018	(\$3,532,555)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
2014	(\$3,532,555)
2015	(\$3,532,555)
2016	(\$3,532,555)
2017	(\$3,532,555)
2018	(\$3,532,555)

Fiscal Analysis

The bill would amend the Government Code to add references to hepatitis education to existing requirements for Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV) education for inmates, state jail offenders, and employees of the Texas Department of

Criminal Justice (TDCJ). Under the bill's provisions, TDCJ must consult with the Department of State Health Services (DSHS) in the revision and adoption of policies relating to AIDS, HIV, and hepatitis education, and for handling persons with AIDS, HIV, or hepatitis. DSHS indicates the bill's provisions would require DSHS to revise its policies for appropriate handling of persons with AIDS, HIV, or hepatitis who have been taken into custody, and that any DSHS cost associated with the bill's provisions could be absorbed within existing DSHS resources. TDCJ indicates any TDCJ cost associated with additional hepatitis education is not significant.

The bill would also amend the Government Code to add references to AIDS and hepatitis testing to existing requirements for HIV testing for TDCJ inmates and state jail offenders. Under the bill's provisions, offenders may be tested for AIDS or hepatitis at any time, but must be tested as they enter and are released from prison, just as HIV testing is currently statutorily required. TDCJ indicates that all necessary AIDS and some hepatitis testing already occur at intake and pre-release through correctional managed health care providers. Based on fiscal year 2012 data provided by TDCJ, the amount of hepatitis testing required under the bill's provisions would increase, resulting in an additional cost to the State that is estimated to be \$3,532,555 per fiscal year.

The bill would take effect September 1, 2013.

Methodology

TDCJ indicates that, on average, there are approximately 70,000 offenders that are received and 72,000 offenders released each fiscal year. In fiscal year 2012, TDCJ indicates approximately 70,000 intake HIV screens and 53,000 pre-release HIV screens were performed. The number of pre-release screens does not reflect the same number of intake screens due primarily to offenders that were initially tested within the previous six months prior to release. Using this workload as a baseline for the number of expected tests per fiscal year (123,000) for each hepatitis test, multiplying that number by three to account for separate tests for hepatitis A, B, and C (369,000), and subtracting the number of tests already performed annually by TDCJ under current policy (61,500), the additional number of hepatitis tests provided per fiscal year is estimated to be 307,500. TDCJ indicates its cost for providing a hepatitis A test is \$12.35, hepatitis B test is \$10.27, and hepatitis C test is \$11.96. The estimated cost of the additional hepatitis tests per fiscal year is \$3,532,555.

The estimated fiscal impact of this bill's provisions does not include the secondary costs of medical treatment for any additional offenders who may test positive for hepatitis as a result of the additional testing required under this bill.

Local Government Impact

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

Source Agencies: 537 State Health Services, Department of, 696 Department of Criminal Justice

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