

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

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 24, 2015**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB195** by Schwertner (Relating to information relating to prescriptions for certain controlled substances.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB195, As Introduced: an impact of \$0 through the biennium ending August 31, 2017.

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
2016	\$0
2017	\$0
2018	\$0
2019	\$0
2020	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2015
2016	(\$1,440,764)	\$1,440,764	7.0
2017	(\$930,673)	\$930,673	7.0
2018	(\$930,673)	\$930,673	7.0
2019	(\$930,673)	\$930,673	7.0
2020	(\$930,673)	\$930,673	7.0

**Fiscal Analysis**

The bill would amend the Health and Safety code as it relates to information relating to prescriptions for certain controlled substances. The provisions of the bill would transfer the Texas Prescription Monitoring Program (TPMP) and the Prescription Access in Texas (PAT) database

from the Department of Public Safety (DPS) to the Texas State Board of Pharmacy (TSBP). The bill requires the transfer of prescription drug registration information from DPS to the TSBP and the establishment of an accessible database for this information.

This bill would take effect September 1, 2015.

### **Methodology**

To implement the provisions of the bill, the Board of Pharmacy estimates the need for \$383,000 each fiscal year and an increase to the full-time equivalent (FTE) cap by 7.0 FTEs. Estimated benefit and payroll contributions for 7.0 FTEs are estimated to be \$129,760 each fiscal year. The agency anticipates the need for \$132,363 in fiscal year 2016 only for workspace remodeling, in line with an estimate from the Texas Facilities Commission. The agency estimates one-time start-up costs for 7.0 FTEs, including the purchase of information technology, to be \$8,750 in fiscal year 2016 only (7.0 FTEs at \$1,250 per FTE in 2016 only). The agency estimates other operating costs associated with 7.0 FTEs to be \$86,891 in fiscal year 2016 and \$17,913 in fiscal year 2017 and thereafter (\$68,978 in fiscal year 2016 for furniture at \$9,854 per FTE for 7.0 FTEs for furniture and office set-up in fiscal year 2016 only and \$17,913 each year in consumables and training costs each fiscal year). The Board of Pharmacy also estimates information technology contracting work related to the transfer of data from DPS to be \$700,000 in fiscal year 2016 and \$400,000 in fiscal year 2017 and thereafter (\$25,000 each fiscal year for auditing services, \$25,000 for grant writing services, \$350,000 each fiscal year for contracted database services). This analysis assumes that any increased costs to the agency, which is statutorily required to generate sufficient revenue to cover its costs of operation, would be offset by an increase in fee generated revenue.

Based on the analysis of the Department of Public Safety, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

### **Technology**

The agency estimates one-time start-up costs for 7.0 FTEs, including the purchase of information technology, to be \$8,750 in fiscal year 2016 only (7.0 FTEs at \$1,250 per FTE in 2016 only). The Board of Pharmacy also estimates information technology contracting work related to the transfer of data from DPS to be \$700,000 in fiscal year 2016 and \$350,000 in fiscal year 2017 and thereafter for contracted database services.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 503 Texas Medical Board, 504 Texas State Board of Dental Examiners, 507 Texas Board of Nursing, 512 Board of Podiatric Medical Examiners, 514 Optometry Board, 515 Board of Pharmacy, 578 Board of Veterinary Medical Examiners

**LBB Staff:** UP, NB, NV, TWh, JAW