

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

**FISCAL NOTE, 85TH LEGISLATURE 1st CALLED SESSION - 2017**

**July 20, 2017**

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

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

**IN RE: SB85** by Campbell (Relating to reporting requirements by certain physicians and health care facilities for abortion complications; authorizing a civil penalty.), **As Introduced**

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

The bill would require health care facilities and physicians to report certain abortion complications to the Health and Human Services Commission (HHSC). HHSC would be required to develop a form and an electronic system for reporting abortion complications, following certain criteria, by January 1, 2018. HHSC would be required to develop and publish an annual report that aggregates each abortion complication on a statewide basis. Physicians and facilities that fail to comply with reporting requirements would be subject to a civil penalty of \$500 for each violation and at the request of HHSC, the Attorney General would be permitted to file an action to recover the penalty. Physicians and facilities that commit three separate violations could be subject to disciplinary action or the revoking of their license, permit, registration, certificate, or other authority. HHSC would be required to notify the Texas Medical Board of any violation committed by a physician no later than 7 days after HHSC discovers the violation. The executive commissioner of the Health and Human Services Commission (HHSC) would be required to adopt any rules necessary to implement provisions of the bill by January 1, 2018. The bill would take effect immediately upon a two-thirds vote from all members of each house or, if such a vote is not received, on the 91st day after the last day of the legislative session.

It is assumed the provisions of the bill can be implemented within the existing resources of HHSC, the Department of State Health Services, the Office of Attorney General, and any regulatory agency.

**Local Government Impact**

There could be costs associated with reporting for local hospitals; however, the fiscal impact cannot be determined at this time.

**Source Agencies:** 302 Office of the Attorney General, 503 Texas Medical Board, 529 Health and Human Services Commission, 537 State Health Services, Department of

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