

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 8, 2017

TO: Honorable Dan Flynn, Chair, House Committee on Pensions

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1922 by Rodriguez, Eddie (Relating to certain claims for benefits or compensation by survivors of fire fighters.), **As Introduced**

Dependent upon the number of additional survivors applying for benefits and benefit claims cases approved under the bill, there could be an indeterminate cost to the State.

The bill would amend the Government Code relating to certain claims for benefits or compensation by survivors of fire fighters. The bill would amend factors for determining whether the survivors of certain individuals would be eligible for benefits to exclude an employer's opinion on whether an individual's death resulted from a personal injury sustained in the line of duty. The bill would require any reasonable doubt regarding an individuals' death to be resolved in favor of payment if scientific evidence establishes a statistically higher incidence rate of an individual's illness among persons in that job compared to the general population or a causal link between an individual's illness and a hazardous condition. If the individual died as a result of a newly discovered or rare illness for which scientific evidence does not exist, the bill would require deference to the medical opinion of an individual's treating physician to resolve any reasonable doubt about the circumstances of the individual's death.

According to the Employees Retirement System (ERS), by expanding the scope of reasonable doubt, the bill could increase the number of cases approved for survivor benefits and the number of survivors who may apply for the benefits. If either of these increases were significant, ERS assumes there could be a significant, indeterminate cost to General Revenue for increased benefit claims. However, ERS cannot estimate the impact of the bill on the final disposition of benefit claims and therefore cannot estimate the potential increase in benefit claim costs.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house or on September 1, 2017.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 327 Employees Retirement System

LBB Staff: UP, AG, NV, KFa, ASa