

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 28, 2017

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2962 by Capriglione (Relating to reporting requirements by health care practitioners and certain health care facilities for abortion complications; creating a criminal offense.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill would require health care facilities and practitioners to report certain abortion complications to the Department of State Health Services (DSHS). DSHS would be required to create forms for reporting abortion complications by January 1, 2018 and maintain submitted forms. DSHS would be permitted to suspend or revoke the licenses of facilities that do not comply with the reporting requirements. Practitioners who fail to comply with reporting requirements would be subject to a Class A misdemeanor and disciplinary action or the revoking of their license, permit, registration, certificate, or other authority. 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.

It is assumed the provisions of the bill can be implemented within the existing resources of DSHS, HHSC, and any regulatory agency.

Local Government Impact

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

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

Source Agencies: 503 Texas Medical Board, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: UP, AG, LR, RGU, EK, JGA