

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 23, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB315 by Hinojosa (Relating to the enforcement of subpoenas and the regulation of pain management clinics by the Texas Medical Board.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code relating to the enforcement of subpoenas and the regulation of pain management clinics by the Texas Medical Board (TMB). The bill would permit TMB, acting through the Attorney General, to file suit to enforce a subpoena in a district court in Travis County or in a county in which a hearing was conducted. The bill permits TMB to inspect non-certified pain management clinics and adopt guidelines for opioid antagonists. Under the provisions of the bill, inappropriate prescribing would include nontherapeutic prescribing or other conduct specified by TMB. The bill would provide exemptions to criminal, civil and other disciplinary acts to physicians who prescribe certain substances in good faith.

The bill would take effect on September 1, 2017 and exemptions, as established by the provisions of the bill, would apply to conduct that occurs on or after September 1, 2017.

This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

TMB, Department of Public Safety, Health and Human Services Commission, Texas Department of Criminal Justice and the Office of Court Administration, and the Office of the Attorney General anticipate any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 503 Texas Medical Board

LBB Staff: UP, EK, KCA, EH