

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 6, 2017

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB860 by Zaffirini (Relating to access to and benefits for mental health conditions and substance use disorders.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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This bill would amend the Government Code and Insurance Code relating to access to and benefits for mental health conditions and substance use disorders.

The bill would require the Health and Human Services Commission (HHSC) to designate an ombudsman for behavioral health access to care which would be administratively attached to the HHSC Office of the Ombudsman. The bill would also require HHSC to establish and implement a mental health condition and substance use disorder parity work group at the Office of Mental Health Coordination as a part of or a subcommittee of the Behavioral Health Advisory Committee.

The bill would require the Texas Department of Insurance (TDI) to conduct a study and prepare a report on benefits for medical or surgical expenses and for mental health conditions and substance use disorders provided by health benefit plans, and would require HHSC to conduct a similar study due no later than September 1, 2018.

Based on the LBB's analysis of HHSC, this analysis assumes the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. Based on information provided by TDI, this analysis assumes the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill requires the Commissioner of Insurance to enforce compliance of Insurance Code, Section 1355.254 by evaluating the mental health and substance use disorders benefits and coverage offered by a health benefit plan. This provision would be implemented through the Actuarial Office and Financial Examinations self-directed, semi-independent (SDSI) division associated with TDI. As a self-funding, self-leveling division, the division will collect revenues sufficient to cover its costs, so that any additional costs incurred in implementing the provisions of this bill would be offset by an equal amount of revenue.

Local Government Impact

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

Source Agencies: 454 Department of Insurance, 529 Health and Human Services Commission

LBB Staff: UP, CL, MDI, KCA, EH, CP, EP