

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 8, 2017**

**TO:** Honorable Four Price, Chair, House Committee on Public Health

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

**IN RE: SB1148** by Buckingham (Relating to maintenance of certification by a physician or an applicant for a license to practice medicine in this state; authorizing a fee.), **As Engrossed**

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

The bill would amend the Occupations Code and the Insurance Code relating to maintenance of certification by a physician or an applicant for a license to practice medicine in this state and authorizing a fee for the application. The bill would prohibit certain hospitals, institutions, programs, or managed care plan issuer from differentiating between physicians based solely on a physician's maintenance of certificate. The bill provides exceptions for a managed care plan issuer if the maintenance of certificate is certified with the Texas Medical Board (TMB). The bill would prohibit the TMB from requiring maintenance of certificate or adopting a rule that would require maintenance of certificate. The bill would prohibit a state agency, including the Health and Human Services Commission and the Department of State Health Services from requiring a hospital or other provider to require maintenance of certification by a physician. Under the provisions of the bill, TMB would be required to establish a process to issue a certificate authorizing an entity to provide maintenance of certification for physicians. TMB would be required to establish certain criteria for the certification and would be permitted to set a fee for a certification. The bill would require TMB to issue a certificate within 180 days to an applicant who meets the requirements of the bill.

Based on the analysis of the TMB, data is unavailable on the number of applications for certification that would be received under the provisions of the bill, but it is assumed duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. It is not assumed there would be significant amount of revenue generated from the fee for the application process due to TMB implementing the provisions of the bill within existing resources.

The University of Texas System Administration, Texas A&M University System Administrative and General Offices, Department of Insurance, and the Health and Human Services Commission 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:** 454 Department of Insurance, 503 Texas Medical Board, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 537 State Health Services, Department of

**LBB Staff:** UP, KCA, EH, EK, JGA, CL, TBo