

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 27, 2019**

**TO:** Honorable Senfronia Thompson, Chair, House Committee on Public Health

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB805** by Parker (Relating to access to certain investigational drugs, biological products, and devices that are in clinical trials by patients with severe chronic diseases.),  
**Committee Report 1st House, Substituted**

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

The bill would allow certain individuals with severe chronic diseases to access certain investigational drugs, biological products, and devices which are in clinical trials. The commissioner of the Department of State Health Services (DSHS) would by rule designate the severe chronic diseases covered by the bill.

The bill would also prohibit state officials or employees from blocking or attempting to block an eligible patient's access to an investigational drug, biological product, or device unless the drug, product, or device is considered adulterated or misbranded under Chapter 431 of the Health and Safety Code. The Texas Medical Board would be prohibited from taking any action against a physician's license based solely on the physician's recommendation to an eligible patient regarding access to or treatment with an investigational drug, biological product, or device, provided the recommendation met the medical standard of care.

The Texas Medical Board, Health and Human Services Commission, and DSHS indicate that the provisions of the bill could be absorbed using existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**        503 Texas Medical Board, 529 Health and Human Services Commission,  
537 State Health Services, Department of, 323 Teacher Retirement  
System, 454 Department of Insurance

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