

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

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

**April 16, 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.), **As Introduced**

**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 executive commissioner of the Health and Human Services Commission (HHSC) 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. 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, HHSC, Department of Insurance, and Department of State Health Services 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:**     323 Teacher Retirement System, 454 Department of Insurance, 503  
Texas Medical Board, 529 Health and Human Services Commission, 537  
State Health Services, Department of

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