LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 25, 2019

TO: Honorable James B. Frank, Chair, House Committee on Human Services

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director

Legislative Budget Board

IN RE: HB2285 by Davis, Sarah (Relating to administrative penalties assessed against certain nursing facilities for the improper discharge or transfer of a resident.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the Health and Human Services Commission (HHSC) to assess administrative penalties on Medicaid-certified nursing facilities if a facility improperly transfers, discharges, or refuses the return of a hospitalized resident in violation of a rule or hearing officer's fair hearing decision. The Comptroller of Public Accounts indicates that as the number of administrative penalties assessed at each level are unknown, the fiscal impact of the bill on revenue cannot be determined.

According to HHSC, Managed Care Compliance and Operations Contracts staff would be required to assess and track managed care organization remedies related to noncompliance with nursing facilities distance standards. Based on the LBB's analysis of HHSC, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 529 Health and Human Services

Commission

LBB Staff: WP, AKi, JQ, MNa