

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

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

**March 25, 2019**

**TO:** Honorable Eddie Lucio III, Chair, House Committee on Insurance

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

**IN RE: HB3041** by Turner, Chris (Relating to the renewal of a preauthorization for a medical or health care service.), **As Introduced**

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

The bill would amend the Insurance Code relating to the renewal of a preauthorization for a medical or health care service. Based on information provided by the Texas Department of Insurance, Employees Retirement System, Teacher Retirement System, The University of Texas System Administration, and Texas A&M University System Administration, this analysis assumes that the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

According to the Health and Human Services Commission, the provisions of the bill conflict with federal and state regulations requiring a physician order or other documentation from a health care provider to establish medical necessity; therefore, the provisions of the bill could not be implemented for Medicaid and the Children's Health Insurance Program. If the provisions were applied, a significant fiscal impact would be anticipated.

The bill applies only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2020. The bill would take effect on September 1, 2019.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**     323 Teacher Retirement System, 327 Employees Retirement System, 454 Department of Insurance, 529 Health and Human Services Commission, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

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