

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

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

**April 3, 2019**

**TO:** Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

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

**IN RE:** **SB384** by Nelson (Relating to the reporting of health care-associated infections and preventable adverse events at health care facilities.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB384, Committee Report 1st House, Substituted: a negative impact of (\$460,634) through the biennium ending August 31, 2021. The Health and Human Services Commission is required to implement a provision of this bill only if the Legislature appropriates money specifically for that purpose. If the Legislature does not appropriate money specifically for that purpose, the Health and Human Services Commission may, but is not required to, implement a provision of the bill using other appropriations available for that purpose.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2020	(\$230,317)
2021	(\$230,317)
2022	\$0
2023	\$0
2024	\$0

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund</b>
	<b>1</b>
2020	(\$230,317)
2021	(\$230,317)
2022	\$0
2023	\$0
2024	\$0

## **Fiscal Analysis**

The bill would change the list of reportable health care-associated infections in Chapter 98 of the Health and Safety Code. These changes would align Texas health care-associated infection reporting requirements with the federal reporting requirements set forth by the Centers for Medicaid and Medicare services (CMS). The bill would also repeal Section 98.105 of the Health and Safety Code, which allows the Health and Human Services Commission (HHSC) to change the list of procedures required to be reported in rule.

HHSC would be required to adopt rules to implement these changes no later than January 1, 2020. The bill would require reports for health care-associated infections occurring on or after January 1, 2020 to comply with the provisions of the bill. The Health and Human Services Commission is required to implement a provision of this bill only if the Legislature appropriates money specifically for that purpose. If the Legislature does not appropriate money specifically for that purpose, the Health and Human Services Commission may, but is not required to, implement a provision of the bill using other appropriations available for that purpose.

The bill would take effect September 1, 2019.

## **Methodology**

The Department of State Health Services (DSHS) indicates that the agency would need to update the existing reporting database, the Texas Healthcare Safety Network, in order to conform to the changes in the health care-associated infections reporting requirement. DSHS assumes that the agency could not complete these modifications until January 1, 2021. LBB analysis of DSHS finds that these activities would cost \$460,634 in General Revenue and \$460,634 in All Funds for the 2020-21 biennium.

HHSC indicates that the provisions of the bill would have no fiscal impact for the agency.

## **Technology**

LBB analysis of DSHS finds that application and system modifications to the Texas Healthcare Safety Network would cost \$460,634 for the 2020-21 biennium.

## **Local Government Impact**

No fiscal implication to units of local government is anticipated.

## **Source Agencies:**

**LBB Staff:** WP, AKi, JQ, MNa