

# SENATE AMENDMENTS

## 2<sup>nd</sup> Printing

By: Murr

H.B. No. 4298

A BILL TO BE ENTITLED

AN ACT

relating to the licensing of satellite offices of outpatient  
chemical dependency care facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 464.003, Health and Safety Code, is  
amended to read as follows:

Sec. 464.003. EXEMPTIONS. This subchapter does not apply  
to:

(1) a facility maintained or operated by the federal  
government;

(2) a facility directly operated by the state;

(3) a facility licensed by the department under  
Chapter 241, 243, 248, 466, or 577;

(4) an educational program for intoxicated drivers;

(5) the individual office of a private, licensed  
health care practitioner who personally renders private individual  
or group services within the scope of the practitioner's license  
and in the practitioner's office;

(6) an individual who personally provides counseling  
or support services to a person with a chemical dependency but does  
not offer or purport to offer a chemical dependency treatment  
program;

(7) a 12-step or similar self-help chemical dependency  
recovery program:

1 (A) that does not offer or purport to offer a  
2 chemical dependency treatment program;

3 (B) that does not charge program participants;  
4 and

5 (C) in which program participants may maintain  
6 anonymity; ~~or~~

7 (8) a juvenile justice facility or juvenile justice  
8 program, as defined by Section 261.405, Family Code; or

9 (9) a satellite office or location in which the person  
10 providing services is operating under the supervision of a licensed  
11 outpatient care facility and the services delivered at the  
12 satellite site fall within the scope of the licensure of the  
13 outpatient care facility.

14 SECTION 2. This Act takes effect September 1, 2019.

ADOPTED

MAY 22 2019

By: Murr/Zaffirini

*Debra Spaw*  
Secretary of the Senate

\_\_\_\_.B. No. \_\_\_\_\_

Substitute the following for \_\_\_\_B. No. \_\_\_\_\_:

By: Charles Perry

C.S. H.B. No. 4298

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9 (9) a satellite office or location in which the person  
10 providing services is operating under the supervision of a licensed  
11 outpatient care facility and the services delivered at the  
12 satellite site fall within the scope of the licensure of the  
13 outpatient care facility.

14 SECTION 2. The Department of State Health Services is  
15 required to implement a provision of this Act only if the  
16 legislature appropriates money specifically for that purpose. If  
17 the legislature does not appropriate money specifically for that  
18 purpose, the department may, but is not required to, implement a  
19 provision of this Act using other appropriations available for that  
20 purpose.

21 SECTION 3. This Act takes effect September 1, 2019.

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

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

**May 23, 2019**

**TO:** Honorable Dennis Bonnen, Speaker of the House, House of Representatives

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

**IN RE: HB4298** by Murr (Relating to the licensing of satellite offices of outpatient chemical dependency care facilities.), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB4298, As Passed 2nd House: a negative impact of (\$84,000) through the biennium ending August 31, 2021.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill. The Department of State Health Services is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the department may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

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

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2020	(\$42,000)
2021	(\$42,000)
2022	(\$42,000)
2023	(\$42,000)
2024	(\$42,000)

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

<b>Fiscal Year</b>	<b>Probable Revenue Gain/(Loss) from General Revenue Fund</b>
	1
2020	(\$42,000)
2021	(\$42,000)
2022	(\$42,000)
2023	(\$42,000)
2024	(\$42,000)

## **Fiscal Analysis**

The bill would amend the Health and Safety Code to exempt certain satellite offices of chemical dependency treatment facilities from licensing requirements.

The bill would take effect September 1, 2019.

## **Methodology**

The Health and Human Services Commission indicates that 676 satellite offices would no longer be required to pay a license fee of \$125 every two years under the provisions of the bill. According to the Comptroller of Public Accounts, this would lead to a loss of \$42,000 in General Revenue for each fiscal year.

The Department of State Health Services is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the department may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

## **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, SD, AKi, JQ, MNa

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

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

**May 19, 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: HB4298** by Murr (Relating to the licensing of satellite offices of outpatient chemical dependency care facilities.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB4298, Committee Report 2nd House, Substituted: a negative impact of (\$84,000) through the biennium ending August 31, 2021.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill. The Department of State Health Services is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the department may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

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## **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

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

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

**May 13, 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: HB4298** by Murr (Relating to the licensing of satellite offices of outpatient chemical dependency care facilities.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB4298, As Engrossed: a negative impact of (\$84,000) through the biennium ending August 31, 2021.

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

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

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

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

**April 17, 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: HB4298** by Murr (Relating to the licensing of satellite offices of outpatient chemical dependency care facilities.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB4298, Committee Report 1st House, Substituted: a negative impact of (\$84,000) through the biennium ending August 31, 2021.

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

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

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

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

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

**April 9, 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: HB4298** by Murr (Relating to the licensing of satellite offices of outpatient chemical dependency care facilities.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB4298, As Introduced: a negative impact of (\$84,000) through the biennium ending August 31, 2021.

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

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