

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION
Revision 1

April 26, 2021

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3082 by Krause (relating to Medicaid fraud actions.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Human Resources Code related to certain recovery options in a Medicaid fraud action brought by a private individual alleging Medicaid fraud and the state intervenes in the action. The bill would provide that if the state does not intervene in the action and an individual proceeds with the action instead, the court may award to the defendant reasonable attorney's fees and expenses just as if the state had intervened. The court would only be able to award the fees and expenses if the court found that the action is frivolous and the person who brought the action was not the original source of the information on which the action was based.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, SLE, BH, CMA