

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 21, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB3126** by VanDeaver (relating to the health care providers authorized to examine a person to determine whether the person is incapacitated for purposes of certain guardianship proceedings.),
Committee Report 1st House, Substituted

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Estates Code to allow an advanced practice registered nurse (APRN) to prepare a letter or certificate, currently required to be prepared only by a physician, which evaluates a proposed ward's degree of incapacity which must be filed with an application for appointment of a guardian for the proposed ward. The same change would be made to authorize an APRN to evaluate a ward and prepare a letter or certificate which must be filed with an application to modify guardianship or restore capacity to a ward.

The bill would provide that APRNs may act under the bill's provisions only if they are acting under a physician's delegation and authority and supervision in accordance with Occupations Code Chapter 157.

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