

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

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 19, 2021**

**TO:** Honorable Tom Oliverson, Chair, House Committee on Insurance

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3951** by Cortez (Relating to health benefit plan coverage for certain tests to detect prostate cancer.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3951, As Introduced : an impact of \$0 through the biennium ending August 31, 2023.

However, the Health and Human Services Commission indicates costs cannot be determined at this time because HHSC does not have sufficient information regarding how many individuals would be newly eligible for these services nor is it known how many individuals would seek out services.

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

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	\$0
2023	\$0
2024	\$0
2025	\$0
2026	\$0

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

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from School Employees UGIP Trust Fund 855</i>	<i>Probable Savings/(Cost) from RETIRED SCHOOL EMP GROUP INSURANCE 989</i>
2022	\$0	(\$200,000)
2023	(\$350,000)	(\$204,000)
2024	(\$357,000)	(\$208,000)
2025	(\$364,000)	(\$212,000)
2026	(\$371,000)	(\$216,000)

**Fiscal Analysis**

The bill would amend the Insurance Code relating to health benefit plan coverage for certain tests to detect prostate cancer. The bill would require certain health plans to cover diagnostic examinations for prostate cancer without any cost-shares.

**Methodology**

Based on information provided by the Teacher Retirement System, TRS-Care and TRS-ActiveCare currently provide coverage for these services, but subject to different cost-shares. Section 2713 of the Public Health Service Act requires the TRS plans to cover evidence-based items or services, without any cost-sharing requirements and at least with respect to in-network providers (or out-of-network if in-network services are not available), that have in effect a rating of A or B in the current recommendations of the United States Preventive Service Task Force (USPSTF). Currently, USPSTF has a grade C recommendation for prostate-specific antigen (PSA) based screening for men aged 55 to 69. Because this recommendation is rated “C,” it is not mandated under Section 2713 that TRS covers these screenings at zero cost-share. Therefore, the bill would impose a higher requirement to TRS than what federal law requires and make TRS subject to the regulations of another state entity with respect to this mandate. Primary care coverage plan under Chapter 1579 (TRS-ActiveCare) cost would be \$0.4 million in fiscal year 2023 and fiscal year 2024. Basic plan under Chapter 1575 (TRS-Care) cost would be \$0.2 million in 2022 and 2023.

Based on information provided by the Health and Human Services Commission (HHSC), the fiscal impact of the bill on Medicaid client services cannot be determined at this time, because HHSC does not have sufficient information regarding the family histories of Medicaid recipients to determine how many individuals would be newly eligible for these services nor is it known how many individuals would seek out services.

### **Local Government Impact**

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

**Source Agencies:** 323 Teacher Retirement System, 327 Employees Retirement System, 454 Department of Insurance, 529 Hlth & Human Svcs Comm, 710 Texas A&M Univ System Admin, 720 UT Sys Admin

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