

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 29, 2021

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB2038 by Menéndez (Relating to prices and fees charged by certain freestanding emergency medical care facilities, including prices and fees charged during a declared state of disaster; providing administrative penalties.), **Conference Committee Report**

The fiscal implications of the bill cannot be determined at this time because it is unknown how many freestanding emergency medical centers (FEMCs) would violate the provisions of the bill.

The bill would limit the fees a freestanding emergency medical care facility (FEMC) could charge for health care services provided to an individual accessing the service from the individual's vehicle. Additionally, the bill would limit the amount a FEMC could charge for a product or service during a state of disaster. The Health and Human Services Commission (HHSC) would be required to impose an administrative penalty for a facility's first two violations of these provisions, suspend a license for 30 days after the second violation, and permanently revoke a license after the third violation.

According to HHSC, additional financial resources may be needed in order for the commission to enforce the provisions of the bill, but the cost cannot be determined at this time because it is unknown how many FEMCs would violate the provisions of the bill.

HHSC indicates it could absorb the costs related to rulemaking associated with the bill within current resources.

The amount of revenue generated from administrative penalties cannot be determined at this time because it is unknown how many FEMCs would violate the provisions of the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 529 Hlth & Human Svcs Comm

LBB Staff: JMc, AKI, JLI, RD, SZ