

SENATE AMENDMENTS

2nd Printing

By: Dominguez, Klick, Burrows, Price, Moody,
et al.

H.B. No. 1802

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a study on the use of alternative therapies for treating
3 post-traumatic stress disorder.

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

5 SECTION 1. (a) In this Act, "commission" means the Health
6 and Human Services Commission.

7 (b) The commission, in collaboration with Baylor College of
8 Medicine and in partnership with a military veterans hospital or a
9 medical center that provides medical care to veterans, shall
10 conduct a study on the efficacy of using alternative therapies,
11 including the use of 3,4-methylenedioxymethamphetamine (MDMA),
12 psilocybin, and ketamine, in the treatment of veterans who suffer
13 from post-traumatic stress disorder.

14 (c) In conducting the study described by Subsection (b) of
15 this section, the commission in collaboration with the Baylor
16 College of Medicine shall:

17 (1) perform a clinical trial on the therapeutic
18 efficacy of using psilocybin in the treatment of
19 treatment-resistant post-traumatic stress disorder in veterans;
20 and

21 (2) review current literature regarding:

22 (A) the safety and efficacy of
23 3,4-methylenedioxymethamphetamine (MDMA), psilocybin, and
24 ketamine in the treatment of post-traumatic stress disorder; and

1 (B) the access veterans have to
2 3,4-methylenedioxymethamphetamine (MDMA), psilocybin, and
3 ketamine for treatment of post-traumatic stress disorder in the
4 United States.

5 (d) The commission shall prepare and submit to the governor,
6 the lieutenant governor, the speaker of the house of
7 representatives, and each member of the legislature:

8 (1) quarterly reports on the progress of the study
9 conducted under this section; and

10 (2) not later than December 1, 2024, a written report
11 containing the results of the study conducted under this section
12 and any recommendations for legislative or other action.

13 (e) The commission shall ensure any protected health
14 information collected during a clinical trial conducted under
15 Subsection (c) of this section and reported under Subsection (d) of
16 this section does not personally identify an individual.

17 (f) This Act expires September 1, 2025.

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2021.

ADOPTED

FLOOR AMENDMENT NO. _____

MAY 22 2021

BY: _____

A Campbell

Lately Law
Secretary of the Senate

1 Amend H.B. 1802 by adding the following appropriately
2 numbered section:

3 SECTION __. The Agency is required to implement this
4 Act only if the legislature appropriates money
5 specifically for that purpose. If the legislature does
6 not appropriate money specifically for that purpose, the
7 commission may, but is not required to, implement this
8 Act using other appropriations available for the purpose.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 24, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1802 by Dominguez (Relating to a study on the use of alternative therapies for treating post-traumatic stress disorder.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1802, As Passed 2nd House : a negative impact of (\$1,440,307) through the biennium ending August 31, 2023.

The Health and Human Services Commission is required to implement this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commission may, but is not required to implement this Act using other appropriations available for the purpose.

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

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2022	(\$714,453)
2023	(\$725,854)
2024	(\$745,987)
2025	\$0
2026	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from General Revenue Fund	Probable Savings/(Cost) from Federal Funds
	1	555
2022	(\$714,453)	(\$148,329)
2023	(\$725,854)	(\$150,696)
2024	(\$745,987)	(\$154,876)
2025	\$0	\$0
2026	\$0	\$0

Fiscal Analysis

The bill would require the Health and Human Services Commission (HHSC) to collaborate with certain entities to conduct a study on the efficacy of using alternative therapies in the treatment of veterans with post-traumatic stress disorder. The bill would require the study to include a clinical trial and a literature review. The

bill would require HHSC to submit reports on the study. This Act expires September 1, 2025. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

Methodology

This analysis assumes HHSC would contract with Baylor College of Medicine to implement the provisions of the bill, including to conduct a 30-month clinical trial, perform a literature review, publish the results of the study, and certain other required activities. According to HHSC, the costs of the study are estimated to be \$862,782 in All Funds in fiscal year 2022, \$876,550 in All Funds in fiscal year 2023, and \$900,863 in All Funds in fiscal year 2024.

Local Government Impact

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

Source Agencies: 529 Hlth & Human Svcs Comm

LBB Staff: JMc, LBO, SLE, JLI, SB, CMA, AKI

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 19, 2021

TO: Honorable Donna Campbell, Chair, Senate Committee on Veteran Affairs & Border Security

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1802 by Dominguez (Relating to a study on the use of alternative therapies for treating post-traumatic stress disorder.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1802, As Engrossed : a negative impact of (\$1,440,307) through the biennium ending August 31, 2023.

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

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2022	(\$714,453)
2023	(\$725,854)
2024	(\$745,987)
2025	\$0
2026	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from General Revenue Fund 1	Probable Savings/(Cost) from Federal Funds 555
2022	(\$714,453)	(\$148,329)
2023	(\$725,854)	(\$150,696)
2024	(\$745,987)	(\$154,876)
2025	\$0	\$0
2026	\$0	\$0

Fiscal Analysis

The bill would require the Health and Human Services Commission (HHSC) to collaborate with certain entities to conduct a study on the efficacy of using alternative therapies in the treatment of veterans with post-traumatic stress disorder. The bill would require the study to include a clinical trial and a literature review. The bill would require HHSC to submit reports on the study. This Act expires September 1, 2025. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

Methodology

This analysis assumes HHSC would contract with Baylor College of Medicine to implement the provisions of the bill, including to conduct a 30-month clinical trial, perform a literature review, publish the results of the study, and certain other required activities. According to HHSC, the costs of the study are estimated to be \$862,782 in All Funds in fiscal year 2022, \$876,550 in All Funds in fiscal year 2023, and \$900,863 in All Funds in fiscal year 2024.

Local Government Impact

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

Source Agencies: 529 Hlth & Human Svcs Comm

LBB Staff: JMc, SLE, JLI, SB, CMA, AKI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 29, 2021

TO: Honorable Stephanie Klick, Chair, House Committee on Public Health

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1802 by Dominguez (Relating to a study on the use of alternative therapies for treating post-traumatic stress disorder.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1802, Committee Report 1st House, Substituted : a negative impact of (\$1,440,307) through the biennium ending August 31, 2023.

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

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2022	(\$714,453)
2023	(\$725,854)
2024	(\$745,987)
2025	\$0
2026	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from General Revenue Fund 1	Probable Savings/(Cost) from Federal Funds 555
2022	(\$714,453)	(\$148,329)
2023	(\$725,854)	(\$150,696)
2024	(\$745,987)	(\$154,876)
2025	\$0	\$0
2026	\$0	\$0

Fiscal Analysis

The bill would require the Health and Human Services Commission (HHSC) to collaborate with certain entities to conduct a study on the efficacy of using alternative therapies in the treatment of veterans with post-traumatic stress disorder. The bill would require the study to include a clinical trial and a literature review. The bill would require HHSC to submit reports on the study. This Act expires September 1, 2025. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

Methodology

This analysis assumes HHSC would contract with Baylor College of Medicine to implement the provisions of the bill, including to conduct a 30-month clinical trial, perform a literature review, publish the results of the study, and certain other required activities. According to HHSC, the costs of the study are estimated to be \$862,782 in All Funds in fiscal year 2022, \$876,550 in All Funds in fiscal year 2023, and \$900,863 in All Funds in fiscal year 2024.

Local Government Impact

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

Source Agencies: 529 Hlth & Human Svcs Comm

LBB Staff: JMc, AKI, JLI, SB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 18, 2021

TO: Honorable Stephanie Klick, Chair, House Committee on Public Health

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1802 by Dominguez (Relating to a study evaluating the use of alternative therapies for treating certain mental health and other medical conditions.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the Department of State Health Services (DSHS), in collaboration with the Texas Medical Board (TMB), to conduct a study and prepare a report that evaluates the therapeutic efficacy of alternative therapies, including the use of 3,4-methylenedioxymethamphetamine (MDMA), psilocybin, and ketamine, in the treatment of mental health and other medical conditions. DSHS and TMB indicated that the provisions of the bill could be implemented using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 537 State Health Services

LBB Staff: JMc, AKI, JLI, NDA