

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 13, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB638 by Toth (Relating to access to certain investigational drugs, biological products, treatments, and devices by patients.), **As Introduced**

No significant fiscal implication to the State is anticipated.

According to the the Department of State Health Services, the agency would not have a direct or primary role in implementing the bill.

According to the the Health and Human Services Commission, the bill would not require Medicaid or any insurance to cover the cost of investigational drugs. Because the Texas Medicaid state plan prohibits coverage of drugs considered in the bill, the agency would not amend the state plan to begin covering investigational drugs.

The Texas Medical Board assumes a potential impact because of the possible increases in complaints and investigations, but the number of complaints cannot currently be estimated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

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

Source Agencies: 503 Texas Medical Board, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: JMc, NPe, ER, APA