

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 19, 2023

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

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

**IN RE: HB2726** by Klick (Relating to the practice of nursing, including disciplinary procedures of the Texas Board of Nursing; authorizing a fee.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2726, As Introduced : an impact of \$0 through the biennium ending August 31, 2025.

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 <i>General Revenue Related Funds</i>
2024	\$0
2025	\$0
2026	\$0
2027	\$0
2028	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain/(Loss) from <i>General Revenue Fund</i> 1	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$240,005)	\$240,005	3.0
2025	(\$211,655)	\$211,655	3.0
2026	(\$211,655)	\$211,655	3.0
2027	(\$211,655)	\$211,655	3.0
2028	(\$211,655)	\$211,655	3.0

Fiscal Analysis

The bill would amend the Occupations Code to require the Board of Nursing to adopt procedures to expunge records related to the discipline of a Nurse and also sets the criteria required for a nurse to be eligible to have their records expunged. Additionally, the bill would allow the Board of Nursing to establish a fee to cover the costs of these expunctions. The Bill would be effective on September 1, 2023.

**Methodology**

According to the Board of Nursing, the agency has between 10,000 to 15,000 cases that would be eligible for expunction under the provisions of the bill. The agency anticipates and this estimate assumes that the agency would process 3,000 expunction cases per year and that the agency would need two senior level administrative assistants (\$51,448 per year with estimated benefits of \$15,374 per position) to review the files, update the agency system and work with the national practitioner data bank. In addition, the agency would need one Clerk (\$37,396 per year with estimated benefits of \$11,175) to pull the documents and prepare files for review. The total cost would be \$211,655 per year with one time startup costs in fiscal year 2024 of \$28,350.

This estimate assumes that the agency would establish a fee of at least \$50 to cover the costs of these responsibilities with revenue deposited to the credit of the General Revenue Fund as this agency is statutorily required to generate revenue sufficient to cover its costs.

**Local Government Impact**

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

**Source Agencies:** 304 Comptroller of Public Accounts, 507 Texas Board of Nursing  
**LBB Staff:** JMc, NPe, GDZ, SLee