

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION
Revision 1

May 15, 2023

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4888 by Hefner (Relating to Medicaid coverage and reimbursement for non-opioid treatments.),
As Engrossed

The fiscal implications of the bill cannot be determined due to the uncertainty related to the utilization of implantable, reusable, or disposable medical devices used for non-opioid treatment.

The bill would require the Health and Human Services Commission (HHSC) to provide Medicaid reimbursement for non-opioid treatments, including a drug or biological product, or a United States Food and Drug Administration (FDA) approved implantable, reusable, or disposable medical device. The bill would also require HHSC to establish rules to ensure that a provider who provides OPD services, as defined by U.S.C Section 1395I(t)(1)(B), is reimbursed separately any non-opioid treatment provided.

According to HHSC, FDA approved drugs or biological products for non-opioid treatments are currently covered by Medicaid and reimbursed separately. FDA-approved, non-opioid implantable, reusable, or disposable medical devices would be a new Medicaid benefit, requiring federal approval. HHSC estimates that this would increase client services costs in Medicaid. This analysis assumes that the fiscal impact cannot be determined due to the uncertainty related to utilization of non-opioid treatment using implantable, reusable, or disposable medical devices.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: JMc, NPe, ER, CST, SD