

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION
Revision 1

March 31, 2025

TO: Honorable John T. Smithee, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB47 by Howard (Relating to sexual assault and other sex offenses.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB47, As Introduced: an impact of \$0 through the biennium ending August 31, 2027.

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>
2026	\$0
2027	\$0
2028	\$0
2029	\$0
2030	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>Crime Victims Comp Acct</i> 469
2026	(\$1,468,784)
2027	(\$1,482,899)
2028	(\$1,505,142)
2029	(\$1,527,720)
2030	(\$1,550,635)

Fiscal Analysis

The bill would modify the Code of Criminal Procedure to add that a victim of sexual assault is entitled to information on and the right to payment of any prescribed continuing medical care related to the sexual assault during the 30-day period following the forensic examination.

The bill would require the Office of the Attorney General to reimburse victims for these amounts, including medication and testing. The bill authorizes the attorney general to set reimbursement amounts by rule and makes conforming changes to victims' rights notification statutes for victims of sexual offenses.

The bill would also extend the validity of certification of a sexual assault nurse examiner from two years to three years.

Methodology

Sexual Assault Nurse Examiner Certification

Under current law, sexual assault nurse examiner certification must be renewed every two years. This bill would expand the validity so that certification would be valid for three years. The Office of the Attorney General (OAG) does not anticipate a fiscal impact from this section of the bill.

30-day Follow-Up Care

The Crime Victims Services Division (CVSD) currently reimburses the cost for the forensic medical examination of a victim of sexual assault and reasonable medical care provided during the forensic medical examination, referred to as emergency medical care (EMC). This bill would expand this coverage to include prescribed continual medical care including medication and medical testing for up to 30 days following the forensic medical examination.

Medications

The CVSD estimates the cost of reimbursement for Post-Exposure Prophylaxis (PEP) medication would be \$7,873.23 per person, and projects an increase of 159 applications in the first year. Additionally, the CVSD assumes the cost of a follow-up visit for PEP treatment would cost \$1,253.95 per claim. The total cost for medication is estimated to be \$1,451,222 in the first fiscal year.

Serious Injury Follow-up Care

The CVSD estimates one percent of victims (11 applications) would require reimbursement for a follow-up visit within the 30 day coverage window for serious injuries. This cost is estimated to be \$2,106 in the first fiscal year.

Cost Containment Vendor (CCV)

The CVSD estimates a cost of \$7,657 in the first fiscal year for the division's third-party Cost Containment Vendor.

This analysis assumes a 1.5% growth rate for all costs, excepting the onetime system upgrade cost, to account for population growth and the corresponding increase in volume of claims.

	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Increased EMC PEP reimbursement	\$1,251,844	\$1,270,621	\$1,289,681	\$1,309,026	\$1,328,661
Anticipated follow-up care for PEP	\$199,378	\$202,369	\$205,404	\$208,485	\$211,613
Anticipated follow-up care for serious injury	\$2,106	\$2,137	\$2,169	\$2,202	\$2,235
CCV costs	\$7,657	\$7,772	\$7,888	\$8,007	\$8,127
System Costs	\$7,800	\$0	\$0	\$0	\$0
Total Increased Cost	\$1,468,784	\$1,482,899	\$1,505,142	\$1,527,720	\$1,550,635

Technology

This analysis includes a onetime cost of \$7,800 to upgrade the Crime Victims Compensation claim management software to allow for consideration of medical bills up to 30 days after the forensic medical examination.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 300 Trusteed Programs Within the Office of the Governor, 302 Office of the Attorney General, 405 Department of Public Safety, 452 Department of Licensing and Regulation, 503 Texas Medical Board, 529 Health and Human Services Commission

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