

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 8, 2025

TO: Honorable Lacey Hull, Chair, House Committee on Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3396 by Frank (Relating to the authority of certain medical consenters to assume financial responsibility for certain out-of-network medical care provided to children in foster care.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would allow a person other than the Department of Family and Protective Service (DFPS), who is otherwise authorized to consent to medical care for a foster child, to assume financial responsibility for medical care provided to the foster child by an out-of-network provider. The bill would establish that DFPS is not liable for the cost of such care unless so ordered by a court. The bill would prohibit Medicaid managed care organizations from taking certain adverse actions related to such care and require STAR Health program managed care contracts between Medicaid managed care organizations and the Health and Human Services Commission (HHSC) to include provisions prohibiting such adverse actions.

The bill would take effect September 1, 2025.

According to DFPS and HHSC, amendments to contracts, policies, and procedures would be necessary to implement the provisions of the bill. 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: 529 Health and Human Services Commission, 530 Family and Protective Services, Department of

LBB Staff: JMc, NPe, ER, ESch