

Rider Comparison Packet

Conference Committee on Senate Bill 1

2018-19 General Appropriations Bill

Article VIII – Regulatory

ARTICLE VIII - REGULATORY
454 Department of Insurance
DIFFERENCES ONLY

Senate

House

13. Three-Share Premium Assistance Programs.

- a. Amounts appropriated above to the Department of Insurance of \$62,351 in fiscal year 2018 and \$62,351 in fiscal year 2019 in General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees in Strategy A.4.1, Three-Share Assistance Programs, and 1.0 Full-Time-Equivalents (FTE) position each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" is for the purpose of awarding, through a competitive application process, grants to local government entities for the research, planning, development, and continuation of "three-share" premium assistance programs to increase access to private healthcare coverage for the uninsured, and providing technical assistance to grant recipients. The agency shall consider the following factors in selecting recipients of grant funds:
- (1) proposals to match grant awards with local funds
 - (2) percentage of uninsured in the applicable area
 - (3) existing efforts in pursuing "three-share" premium assistance programs
 - (4) healthcare use and delivery factors affecting the area's healthcare infrastructure and capacity.
- b. In addition to amounts appropriated above, out of funds collected from regulated entities except for workers compensation for fines, penalties, and sanctions and deposited to General Revenue, the Texas Department of Insurance is appropriated, out of amounts collected in excess of those contained in the Comptroller's Biennial Revenue Estimate (estimated to be \$0), an amount not to exceed \$1,500,000 in each year of the biennium for the Three Share Premium Assistance Program. Any unexpended and unobligated balances of appropriations for the fiscal year ending August 31, 2017, (estimated to be \$0) are appropriated to the agency for the same purposes for the fiscal year beginning September 1, 2017. In addition, any unexpended and unobligated balances of appropriations for the fiscal year ending August 31, 2018, are appropriated to the agency for the same purposes for the fiscal year beginning September 1, 2018. The agency shall spend any unexpended and unobligated balances that are appropriated to it for the same purposes to the extent necessary to maintain the agency's approved enrollment levels for that biennium for each Three-Share Premium Assistance program.

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- The agency shall report a summary of the grants awarded to local government entities to the Legislative Budget Board and the Governor no later than January 1, 2019.

ARTICLE VIII - REGULATORY
454 Department of Insurance
DIFFERENCES ONLY
(Continued)

Senate

House

The agency shall report a summary of the grants awarded to local government entities to the Legislative Budget Board and the Governor no later than January 1, 2019.

- 20. Workers' Compensation Fraud Prosecution.** Out of the amounts appropriated above in Strategy A.2.4, Workers Compensation Fraud, \$341,038 in fiscal year 2018 and \$334,788 in fiscal year 2019 in General Revenue-Dedicated Texas Department of Insurance Operating Fund 36 is for the purpose of workers' compensation fraud prosecution in cooperation with the Travis County District Attorney's Office.

ARTICLE VIII - REGULATORY
452 Department of Licensing and Regulation
DIFFERENCES ONLY

Senate

13. Judgments and Settlements. Notwithstanding Article IX, Section 16.04 of this Act, payment of judgments or settlements, including attorney's fees, resulting from actions brought under Title 42 United States Code §1983 that arise from claims challenging the validity or constitutionality of a state law and prosecuted or defended by the Office of the Attorney General that are obtained against the Texas Department of Licensing and Regulation or the Texas Commission of Licensing and Regulation, or any individual(s) acting in their official capacity on behalf of the Texas Department of Licensing and Regulation, shall be paid out by the Comptroller and not from funds appropriated herein to the Texas Department of Licensing and Regulation or the Texas Commission of Licensing and Regulation.

House

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ARTICLE VIII - REGULATORY
507 Texas Board of Nursing
DIFFERENCES ONLY

Senate

House

- 6. Contingent Revenue.** Out of the amounts appropriated above to the Board of Nursing in Strategy A.1.1, Licensing, the amounts of \$450,431 in fiscal year 2018 and \$623,711 in fiscal year 2019, in Strategy A.2.1, Accreditation, the amounts of \$47,647 in fiscal year 2018 and \$62,847 in fiscal year 2019, in Strategy B.1.1, Adjudicate Violations, the amounts of \$317,281 in fiscal year 2018 and \$432,801 in fiscal year 2019, and in Strategy B.1.2, Peer Assistance, the amounts of \$131,900 in fiscal year 2018 and \$131,900 in fiscal year 2019, in General Revenue are contingent upon the Board of Nursing assessing or increasing fees sufficient to generate, during the 2018-19 biennium, \$2,345,356 in excess of \$27,800,000 (Object Codes 3560 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2018 and 2019. The Board of Nursing, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Nursing's minutes and other information supporting the estimated revenues to be generated for the 2018-19 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of \$2,198,518 and other direct and indirect costs (estimated to be \$146,838 for the 2018-19 biennium).

ARTICLE VIII - REGULATORY
515 Board of Pharmacy
DIFFERENCES ONLY

Senate

6. Informational Listing: Prescription Monitoring Program Funding. Out of the amounts appropriated above, the Texas State Board of Pharmacy shall use \$1,099,515 during each fiscal year 2018 and 2019 to execute the appropriate provisions of Chapter 481 of the Health and Safety Code. Fees are collected by agencies that license individuals or entities authorized to access the Prescription Monitoring Program including, Board of Pharmacy, Texas Medical Board, Optometry Board, Board of Dental Examiners, Board of Nursing, Board of Podiatric Medical Examiners, and the Board of Veterinary Medical Examiners. The following is an informational listing of the agencies participating in the Prescription Monitoring Program and fees estimated to be collected for this purpose:

	<u>2018</u>	<u>2019</u>
Texas Medical Board	\$502,478	\$509,075
Optometry Board	31,886	28,587
Texas Board of Dental Examiners	172,624	168,226
Texas Board of Nursing	90,160	90,160
Board of Veterinary Medical Examiners	82,464	82,464
Board of Podiatric Medical Examiners	10,995	9,896
Board of Pharmacy	208,908	211,107
Total	\$1,099,515	\$1,099,515

House

6. Informational Listing: Prescription Monitoring Program Funding. Out of the amounts appropriated above, the Texas State Board of Pharmacy shall use \$800,913 during each fiscal year 2018 and 2019 to execute the appropriate provisions of Chapter 481 of the Health and Safety Code. Fees are collected by agencies that license individuals or entities authorized to access the Prescription Monitoring Program including, Board of Pharmacy, Texas Medical Board, Optometry Board, Board of Dental Examiners, Board of Nursing, Board of Podiatric Medical Examiners, and the Board of Veterinary Medical Examiners. The following is an informational listing of the agencies participating in the Prescription Monitoring Program and fees estimated to be collected for this purpose:

	<u>FY18</u>	<u>FY19</u>
Texas Medical Board	\$366,017	370,823
Optometry Board	\$ 23,226	20,824
Texas Board of Dental Examiners	\$125,743	122,540
Texas Board of Nursing	\$ 65,675	65,675
Board of Veterinary Medical Examiners	\$ 60,068	60,068
Board of Podiatric Medical Examiners	\$ 8,009	7,208
Board of Pharmacy	\$152,175	153,775
Total	\$800,913	800,913

ARTICLE VIII - REGULATORY
S08 Special Provisions Relating to All Regulatory Agencies
DIFFERENCES ONLY

Senate

House

Sec. 7. Contract Cost Containment. Pursuant to Article IX Section 17.10, Contract Cost Containment, appropriations made above to the agencies in Article VIII are reduced by \$183,775 in General Revenue in 2018 and \$183,775 in General Revenue in 2019 and \$79,600 in General Revenue Dedicated in 2018 and \$79,600 in General Revenue Dedicated in 2019.