

1-1 By: Schwertner, Bettencourt S.B. No. 425
 1-2 (In the Senate - Filed February 2, 2015; February 4, 2015,
 1-3 read first time and referred to Committee on Business and Commerce;
 1-4 April 13, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 13, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 425 By: Schwertner

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to health care information provided by and notice of
 1-22 facility fees charged by certain freestanding emergency medical
 1-23 care facilities.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Chapter 241, Health and Safety Code, is amended
 1-26 by adding Subchapter J to read as follows:

1-27 SUBCHAPTER J. NOTICE OF FACILITY FEES IN CERTAIN FREESTANDING
 1-28 EMERGENCY MEDICAL CARE FACILITIES

1-29 Sec. 241.251. APPLICABILITY. This subchapter applies only
 1-30 to a freestanding emergency medical care facility, as that term is
 1-31 defined by Section 254.001, that is exempt from the licensing
 1-32 requirements of Chapter 254 under Section 254.052(8).

1-33 Sec. 241.252. NOTICE OF FEES. (a) In this section,
 1-34 "provider network" has the meaning assigned by Section 1456.001,
 1-35 Insurance Code.

1-36 (b) A facility described by Section 241.251 shall post
 1-37 notice that states:

1-38 (1) that the facility is a freestanding emergency
 1-39 medical care facility;

1-40 (2) that the facility charges rates comparable to a
 1-41 hospital emergency room and may charge a facility fee;

1-42 (3) that a facility or a physician providing medical
 1-43 care at the facility may not be a participating provider in the
 1-44 patient's health benefit plan provider network; and

1-45 (4) that a physician providing medical care at the
 1-46 facility may bill separately from the facility for the medical care
 1-47 provided to a patient.

1-48 (c) The notice required by this section must be posted
 1-49 prominently and conspicuously:

1-50 (1) at the primary entrance to the facility;

1-51 (2) in each patient treatment room; and

1-52 (3) at each location within the facility at which a
 1-53 person pays for health care services.

1-54 (d) The notice required by this section must be in legible
 1-55 print on a sign with dimensions of at least 8.5 inches by 11 inches.

1-56 SECTION 2. Section 254.001, Health and Safety Code, is
 1-57 amended by adding Subdivision (6) to read as follows:

1-58 (6) "Provider network" has the meaning assigned by
 1-59 Section 1456.001, Insurance Code.

1-60 SECTION 3. Subchapter D, Chapter 254, Health and Safety

2-1 Code, is amended by adding Section 254.155 to read as follows:
2-2 Sec. 254.155. NOTICE OF FEES. (a) A facility shall post
2-3 notice that states:

2-4 (1) that the facility is a freestanding emergency
2-5 medical care facility;

2-6 (2) that the facility charges rates comparable to a
2-7 hospital emergency room and may charge a facility fee;

2-8 (3) that a facility or a physician providing medical
2-9 care at the facility may not be a participating provider in the
2-10 patient's health benefit plan provider network; and

2-11 (4) that a physician providing medical care at the
2-12 facility may bill separately from the facility for the medical care
2-13 provided to a patient.

2-14 (b) The notice required by this section must be posted
2-15 prominently and conspicuously:

2-16 (1) at the primary entrance to the facility;

2-17 (2) in each patient treatment room; and

2-18 (3) at each location within the facility at which a
2-19 person pays for health care services.

2-20 (c) The notice required by this section must be in legible
2-21 print on a sign with dimensions of at least 8.5 inches by 11 inches.

2-22 SECTION 4. Section 324.001(7), Health and Safety Code, is
2-23 amended to read as follows:

2-24 (7) "Facility" means:

2-25 (A) an ambulatory surgical center licensed under
2-26 Chapter 243;

2-27 (B) a birthing center licensed under Chapter 244;

2-28 [~~or~~]

2-29 (C) a hospital licensed under Chapter 241; or

2-30 (D) a freestanding emergency medical care
2-31 facility, as defined in Section 254.001, including a freestanding
2-32 emergency medical care facility that is exempt from the licensing
2-33 requirements of Chapter 254 under Section 254.052(8).

2-34 SECTION 5. Section 241.183, Health and Safety Code, as
2-35 added by Chapter 917 (H.B. 1376), Acts of the 83rd Legislature,
2-36 Regular Session, 2013, is repealed.

2-37 SECTION 6. (a) Notwithstanding Subchapter J, Chapter 241,
2-38 Health and Safety Code, and Section 254.155, Health and Safety
2-39 Code, as added by this Act, a freestanding emergency medical care
2-40 facility is not required to comply with those provisions until
2-41 January 1, 2016.

2-42 (b) Notwithstanding Chapter 324, Health and Safety Code, as
2-43 amended by this Act, a freestanding emergency medical care facility
2-44 is not required to comply with Chapter 324, Health and Safety Code,
2-45 until January 1, 2016.

2-46 SECTION 7. This Act takes effect September 1, 2015.

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