

1-1 By: Oliverson, et al. H.B. No. 3276
 1-2 (Senate Sponsor - Taylor of Galveston)
 1-3 (In the Senate - Received from the House May 3, 2017;
 1-4 May 5, 2017, read first time and referred to Committee on Business
 1-5 & Commerce; May 15, 2017, reported favorably by the following vote:
 1-6 Yeas 9, Nays 0; May 15, 2017, 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 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to notice of health benefit plan provider network status
 1-21 provided by certain freestanding emergency medical care
 1-22 facilities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 241.252, Health and Safety Code, is
 1-25 amended by amending Subsection (b) and adding Subsection (e) to
 1-26 read as follows:

1-27 (b) A facility described by Section 241.251 shall post
 1-28 notice that:

1-29 (1) states:

1-30 (A) [~~(1) that~~] the facility is a freestanding
 1-31 emergency medical care facility;

1-32 (B) [~~(2) that~~] the facility charges rates
 1-33 comparable to a hospital emergency room and may charge a facility
 1-34 fee;

1-35 (C) [~~(3) that~~] a facility or a physician
 1-36 providing medical care at the facility may not be a participating
 1-37 provider in the patient's health benefit plan provider network; and

1-38 (D) [~~(4) that~~] a physician providing medical
 1-39 care at the facility may bill separately from the facility for the
 1-40 medical care provided to a patient; and

1-41 (2) either:

1-42 (A) lists the health benefit plans in which the
 1-43 facility is a participating provider in the health benefit plan's
 1-44 provider network; or

1-45 (B) states the facility is not a participating
 1-46 provider in any health benefit plan provider network.

1-47 (e) Notwithstanding Subsection (c), a facility that is a
 1-48 participating provider in one or more health benefit plan provider
 1-49 networks complies with Subsection (b)(2) if the facility:

1-50 (1) provides notice on the facility's Internet website
 1-51 listing the health benefit plans in which the facility is a
 1-52 participating provider in the health benefit plan's provider
 1-53 network; and

1-54 (2) provides to a patient written confirmation of
 1-55 whether the facility is a participating provider in the patient's
 1-56 health benefit plan's provider network.

1-57 SECTION 2. Section 254.155, Health and Safety Code, is
 1-58 amended by amending Subsection (a) and adding Subsection (d) to
 1-59 read as follows:

1-60 (a) A facility shall post notice that:

1-61 (1) states:

2-1 (A) [~~(1) that~~] the facility is a freestanding
2-2 emergency medical care facility;

2-3 (B) [~~(2) that~~] the facility charges rates
2-4 comparable to a hospital emergency room and may charge a facility
2-5 fee;

2-6 (C) [~~(3) that~~] a facility or a physician
2-7 providing medical care at the facility may not be a participating
2-8 provider in the patient's health benefit plan provider network; and

2-9 (D) [~~(4) that~~] a physician providing medical
2-10 care at the facility may bill separately from the facility for the
2-11 medical care provided to a patient; and

2-12 (2) either:

2-13 (A) lists the health benefit plans in which the
2-14 facility is a participating provider in the health benefit plan's
2-15 provider network; or

2-16 (B) states the facility is not a participating
2-17 provider in any health benefit plan provider network.

2-18 (d) Notwithstanding Subsection (b), a facility that is a
2-19 participating provider in one or more health benefit plan provider
2-20 networks complies with Subsection (a)(2) if the facility:

2-21 (1) provides notice on the facility's Internet website
2-22 listing the health benefit plans in which the facility is a
2-23 participating provider in the health benefit plan's provider
2-24 network; and

2-25 (2) provides to a patient written confirmation of
2-26 whether the facility is a participating provider in the patient's
2-27 health benefit plan's provider network.

2-28 SECTION 3. This Act takes effect September 1, 2017.

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