

1-1 By: Kolkhorst S.B. No. 331
1-2 (In the Senate - Filed November 13, 2024; February 3, 2025,
1-3 read first time and referred to Committee on Health & Human
1-4 Services; April 14, 2025, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 14, 2025, sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Kolkhorst	X			
1-10	Perry	X			
1-11	Blanco	X			
1-12	Cook	X			
1-13	Hall	X			
1-14	Hancock	X			
1-15	Hughes	X			
1-16	Miles	X			
1-17	Sparks	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 331 By: Kolkhorst

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

1-21 relating to the disclosure of health care cost information by
1-22 certain health care facilities; imposing an administrative
1-23 penalty.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-25 SECTION 1. Section 327.001(7), Health and Safety Code, is
1-26 amended to read as follows:

1-27 (7) "Facility" means:
1-28 (A) a hospital, including:
1-29 (i) a general hospital;
1-30 (ii) a special hospital;
1-31 (iii) a mental hospital;
1-32 (iv) a hospital that operates a crisis
1-33 stabilization unit;
1-34 (v) a limited services rural hospital; or
1-35 (vi) a hospital operating under a
1-36 certificate of public advantage under Chapter 314 or 314A;
1-37 (B) an abortion facility;
1-38 (C) an ambulatory surgical center;
1-39 (D) a birthing center;
1-40 (E) a facility registered on the burial or
1-41 cremation assistance registry under Section 697.005;
1-42 (F) a chemical dependency treatment facility;
1-43 (G) a community mental health center;
1-44 (H) a comprehensive outpatient rehabilitation
1-45 facility;
1-46 (I) an end stage renal disease facility;
1-47 (J) a freestanding emergency medical care
1-48 facility;
1-49 (K) a laboratory subject to the Clinical
1-50 Laboratory Improvement Amendments of 1988 (42 U.S.C. Section 263a);
1-51 (L) a narcotic drug treatment program;
1-52 (M) an outpatient clinic, rehabilitation agency,
1-53 or public health agency that provides outpatient physical therapy
1-54 and speech pathology services;
1-55 (N) a facility the commission regulates that
1-56 administers drugs the Texas Health and Human Services Psychiatric
1-57 Drug Formulary approves for use;
1-58 (O) a rural health clinic;
1-59 (P) a special care facility; or
1-60 (Q) a supplier of portable x-ray services

2-1 ~~[licensed under Chapter 241].~~

2-2 SECTION 2. Chapter 327, Health and Safety Code, is amended
2-3 by adding Section 327.0015 to read as follows:

2-4 Sec. 327.0015. APPLICABILITY. This chapter applies only to
2-5 a facility with a total gross revenue of \$7 million or more.

2-6 SECTION 3. Sections 327.008(a), (c), and (d), Health and
2-7 Safety Code, are amended to read as follows:

2-8 (a) The commission may impose an administrative penalty on a
2-9 facility ~~[in accordance with Chapter 241]~~ if the facility fails to:

2-10 (1) respond to the commission's request to submit a
2-11 corrective action plan; or

2-12 (2) comply with the requirements of a corrective
2-13 action plan submitted to the commission.

2-14 (c) For a facility with one of the following total gross
2-15 revenues ~~[as reported to the Centers for Medicare and Medicaid~~
2-16 ~~Services or to another entity designated by commission rule in the~~
2-17 ~~year preceding the year in which a penalty is imposed]~~, the penalty
2-18 imposed by the commission may not exceed:

2-19 (1) ~~[\$10 for each day the facility violated this~~
2-20 ~~chapter, if the facility's total gross revenue is less than~~
2-21 ~~\$10,000,000;~~

2-22 ~~[(2)]~~ \$100 for each day the facility violated this
2-23 chapter, if the facility's total gross revenue is \$7,000,000
2-24 ~~[\$10,000,000]~~ or more and less than \$100,000,000; and

2-25 (2) ~~[(3)]~~ \$1,000 for each day the facility violated
2-26 this chapter, if the facility's total gross revenue is \$100,000,000
2-27 or more.

2-28 (d) Each day a violation continues is considered a separate
2-29 violation. A cumulative administrative penalty may not exceed the
2-30 applicable daily amount provided by Subsection (c).

2-31 SECTION 4. A health care facility required to disclose
2-32 billing information as a result of the amendment to Chapter 327,
2-33 Health and Safety Code, by this Act is not required to disclose
2-34 information in accordance with that chapter until August 31, 2027.

2-35 SECTION 5. Section 327.008, Health and Safety Code, as
2-36 amended by this Act, applies only to a violation that occurs on or
2-37 after the effective date of this Act. A violation that occurs
2-38 before the effective date of this Act is governed by the law as it
2-39 existed on the date the violation occurred, and that law is
2-40 continued in effect for that purpose.

2-41 SECTION 6. This Act takes effect immediately if it receives
2-42 a vote of two-thirds of all the members elected to each house, as
2-43 provided by Section 39, Article III, Texas Constitution. If this
2-44 Act does not receive the vote necessary for immediate effect, this
2-45 Act takes effect September 1, 2025.

2-46 * * * * *