

1-1 By: Hughes, Schwertner S.B. No. 2122  
 1-2 (In the Senate - Filed March 12, 2021; April 1, 2021, read  
 1-3 first time and referred to Committee on Business & Commerce;  
 1-4 May 5, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 7, Nays 0; May 5, 2021, sent  
 1-6 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. 2122 By: Hancock

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

1-21 relating to itemized billing for health care services and supplies  
 1-22 provided by health care providers.

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

1-24 SECTION 1. Title 2, Health and Safety Code, is amended by  
 1-25 adding Subtitle J to read as follows:

1-26 SUBTITLE J. PAYMENT FOR HEALTH CARE SERVICES AND SUPPLIES

1-27 CHAPTER 185. HEALTH CARE BILLING

1-28 Sec. 185.001. DEFINITIONS. In this chapter:

1-29 (1) "Debt collection" has the meaning assigned by  
 1-30 Section 392.001, Finance Code.

1-31 (2) "Health care provider" means an individual or  
 1-32 facility licensed, certified, or otherwise authorized to  
 1-33 administer health care services or supplies in this state in the  
 1-34 ordinary course of business or professional practice, including a  
 1-35 physician or a hospital.

1-36 (3) "Health care service" means a service provided to  
 1-37 an individual by a health care provider to diagnose, prevent,  
 1-38 treat, alleviate, cure, or heal a human health condition, illness,  
 1-39 injury, or disease.

1-40 Sec. 185.002. ITEMIZED BILL REQUIRED. (a) A health care  
 1-41 provider who requests payment from a patient for a health care  
 1-42 service or related supply provided to the patient shall submit with  
 1-43 the request a written, itemized bill of charges for all health care  
 1-44 services and supplies provided to the patient during the patient's  
 1-45 visit to the provider.

1-46 (b) The itemized bill must include:

1-47 (1) the amount the health care provider agrees to  
 1-48 accept as full payment for each health care service and supply  
 1-49 provided to the patient by that provider;

1-50 (2) a plain language description of each discrete  
 1-51 health care service or supply; and

1-52 (3) if reimbursement is sought from a third party, any  
 1-53 billing code submitted to the third party and the amounts billed to  
 1-54 and paid by that third party.

1-55 (c) A health care provider may issue the itemized bill  
 1-56 electronically, including through a patient portal on the  
 1-57 provider's Internet website.

1-58 (d) A patient is entitled to obtain from the health care  
 1-59 provider an itemized bill on request at any time after the itemized  
 1-60 bill is initially issued under Subsection (a).

2-1 (e) A health care provider may not pursue debt collection  
2-2 against a patient for a provided health care service or supply  
2-3 unless the provider has complied with this section.

2-4 Sec. 185.003. DISCIPLINARY ACTION BY LICENSING AUTHORITY.  
2-5 The appropriate licensing authority may take disciplinary action  
2-6 against a health care provider that violates this chapter as if the  
2-7 provider violated an applicable licensing law.

2-8 SECTION 2. This Act takes effect September 1, 2021.

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