

By: Pickett

H.B. No. 814

A BILL TO BE ENTITLED

AN ACT

relating to billing and collection for certain hospital services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 552.003, Insurance Code, as effective April 1, 2005, is amended by adding Subsection (c) to read as follows:

(c) It is an exception to the application of this section that:

(1) the person charging two different prices for the same product or service is a hospital; and

(2) the prices charged comply with the billing and collection guidelines adopted under Section 241.030, Health and Safety Code.

SECTION 2. Subchapter B, Chapter 241, Health and Safety Code, is amended by adding Section 241.030 to read as follows:

Sec. 241.030. BILLING AND COLLECTION GUIDELINES. (a) The executive commissioner of the Health and Human Services Commission shall by rule adopt billing and collection guidelines for hospitals.

(b) The billing and collection guidelines may permit a hospital to use a sliding fee scale for, or to otherwise charge a lower price to, an individual who is not medically indigent, but who does not have adequate insurance or other coverage for medical expenses, as determined under the guidelines.

1       (c) In developing the billing and collection guidelines,  
2 the executive commissioner of the Health and Human Services  
3 Commission:

4           (1) shall consult with the Texas Hospital Association  
5 and the commissioner of insurance; and

6           (2) may consult with other entities as considered  
7 appropriate by the executive commissioner.

8       (d) A hospital, including a hospital that is otherwise  
9 exempt from this chapter under Section 241.004(2) or (3), may use  
10 the billing and collection guidelines adopted under this section. A  
11 hospital is not required to use the guidelines.

12       SECTION 3. The change in law made by this Act to Section  
13 552.003, Insurance Code, applies only to an offense committed on or  
14 after the effective date of this Act. An offense committed before  
15 the effective date of this Act is covered by the law in effect when  
16 the offense was committed, and the former law is continued in effect  
17 for that purpose. For purposes of this section, an offense was  
18 committed before the effective date of this Act if any element of  
19 the offense was committed before that date.

20       SECTION 4. This Act takes effect September 1, 2005.