

By: Martinez Fischer

H.B. No. 1084

A BILL TO BE ENTITLED

AN ACT

1
2 relating to charges for certain services or products provided in a
3 hospital.

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

5 SECTION 1. Subchapter B, Chapter 241, Health and Safety
6 Code, is amended by adding Section 241.030 to read as follows:

7 Sec. 241.030. PERSONS WITHOUT HEALTH PLAN BENEFITS. (a)
8 This section applies only to a hospital that provides a product or
9 service to a person in the hospital who is not covered by a health
10 insurance policy or other health benefit plan that provides
11 benefits for the product or service provided.

12 (b) A hospital may not charge a person described by
13 Subsection (a) an amount for a product or service that exceeds the
14 lowest amount that the hospital is entitled to receive for the same
15 product or service under:

16 (1) a contract or other arrangement between the
17 hospital and an insurer or other health benefit plan issuer;

18 (2) the state medical assistance program; and

19 (3) the federal Medicare program.

20 SECTION 2. Section 552.003, Insurance Code, as effective
21 April 1, 2005, is amended by adding Subsection (c) to read as
22 follows:

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

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

3 (2) the prices charged comply with Section 241.030,
4 Health and Safety Code.

5 SECTION 3. The change in law made by this Act to Section
6 552.003, Insurance Code, applies only to an offense committed on or
7 after the effective date of this Act. An offense committed before
8 the effective date of this Act is covered by the law in effect when
9 the offense was committed, and the former law is continued in effect
10 for that purpose. For purposes of this section, an offense was
11 committed before the effective date of this Act if any element of
12 the offense was committed before that date.

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