

1-1 By: Duncan S.B. No. 1832  
1-2 (In the Senate - Filed March 9, 2007; March 22, 2007, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 April 18, 2007, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 18, 2007,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1832 By: Duncan

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the billing of anatomic pathology services; providing  
1-11 penalties.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subtitle B, Title 3, Occupations Code, is  
1-14 amended by adding Chapter 166 to read as follows:

1-15 CHAPTER 166. BILLING OF ANATOMIC PATHOLOGY SERVICES

1-16 Sec. 166.001. DEFINITION. In this chapter, "anatomic  
1-17 pathology services" means:

1-18 (1) histopathology or surgical pathology, which is the  
1-19 gross and microscopic examination and histologic processing of  
1-20 organ tissue performed by a physician or under the supervision of a  
1-21 physician;

1-22 (2) cytopathology, which is the microscopic  
1-23 examination of cells from the following:

1-24 (A) fluids;

1-25 (B) aspirates;

1-26 (C) washings;

1-27 (D) brushings; or

1-28 (E) smears, including a Pap smear, performed by a  
1-29 physician or under the supervision of a physician;

1-30 (3) hematology, which is the microscopic evaluation of  
1-31 bone marrow aspirates and biopsies performed by a physician, or  
1-32 under the supervision of a physician, and peripheral blood smears  
1-33 when the attending or treating physician or technologist requests  
1-34 that a blood smear be reviewed by a pathologist;

1-35 (4) sub-cellular pathology and molecular pathology;  
1-36 or

1-37 (5) a blood-banking service performed by a  
1-38 pathologist.

1-39 Sec. 166.002. ANATOMIC PATHOLOGY BILLING. Notwithstanding  
1-40 any other law, a person, including a physician and an entity,  
1-41 violates this subtitle and is subject to disciplinary action and  
1-42 penalties under this subtitle if the person:

1-43 (1) does not directly supervise or perform anatomic  
1-44 pathology services for a patient; and

1-45 (2) fails to disclose in the bill presented by the  
1-46 person to the patient or the insurer or other third party payor, or  
1-47 in an itemized statement to the patient:

1-48 (A) the name and address of the physician or  
1-49 laboratory that provided the anatomic pathology services; and

1-50 (B) the net amount paid or to be paid for each  
1-51 anatomic pathology service provided to the patient by the physician  
1-52 or laboratory.

1-53 SECTION 2. Chapter 166, Occupations Code, as added by this  
1-54 Act, applies only to anatomic pathology services performed on or  
1-55 after the effective date of this Act.

1-56 SECTION 3. The Texas Medical Board may adopt rules  
1-57 necessary to implement Chapter 166, Occupations Code, as added by  
1-58 this Act.

1-59 SECTION 4. This Act takes effect September 1, 2007.

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