

By: Thompson

H.B. No. 2279

A BILL TO BE ENTITLED

AN ACT

relating to the provision of and billing for certain diagnostic imaging services.

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

SECTION 1. Subtitle A, Title 3, Occupations Code, is amended by adding Chapter 116 to read as follows:

CHAPTER 116. DIRECT BILLING OF DIAGNOSTIC IMAGING SERVICES

Sec. 116.001. DEFINITIONS. In this chapter:

(1) "Diagnostic imaging services" means magnetic resonance imaging, computed tomography, positron emission tomography, and any hybrid technology that combines any of those or other imaging modalities.

(2) "Health care provider" means any person licensed as a health care professional or authorized to practice health care under Subtitle B or C.

(3) "Licensing authority" means a department, board, office, or other agency of this state that licenses or otherwise regulates a health care provider who is subject to this chapter.

(4) "Patient" means a person who receives a physical examination, evaluation, diagnosis, or treatment by a health care provider.

(5) "Professional component of diagnostic imaging services" means the component of a medical imaging procedure that involves an interpretation to be performed by a health care

provider, including the interpretation of a radiograph or the images produced by diagnostic imaging services. The term also includes valuation for the work performed by a health care provider, practice expenses, and medical liability associated with the interpretation of a diagnostic imaging service.

Sec. 116.002. PROHIBITED ACTS REGARDING DIAGNOSTIC IMAGING SERVICES. Notwithstanding any other law, a health care provider violates this chapter and is subject to disciplinary action and penalties under Subtitle B or C, as appropriate, if the health care provider:

(1) does not directly supervise or perform the professional component of a diagnostic imaging service for a patient; or

(2) fails to disclose in the bill presented to the patient or the insurer or other third party payor, or in an itemized statement to the patient:

(A) the name and address of the health care provider that provided the professional component of the diagnostic imaging service; and

(B) the net amount paid or to be paid for each professional component of the diagnostic imaging service provided to the patient by the health care provider.

Sec. 116.003. DISCIPLINARY ACTION. A licensing authority with jurisdiction over a health care provider who may request or provide diagnostic imaging services may revoke, suspend, or refuse to renew the license or other authorization of a health care provider who violates this chapter.

1 Sec. 116.004. RULES. The governing body of a licensing
2 authority may adopt rules as necessary to implement this chapter.

3 SECTION 2. Section 116.002, Occupations Code, as added by
4 this Act, applies only to conduct that occurs on or after the
5 effective date of this Act. Conduct that occurs before the
6 effective date of this Act is governed by the law as it existed
7 immediately before the effective date of this Act, and that law is
8 continued in effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2009.