

By: Coleman

H.B. No. 4503

A BILL TO BE ENTITLED

AN ACT

relating to charity care and government-sponsored indigent health care provided by certain hospitals.

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

SECTION 1. Subchapter D, Chapter 311, Health and Safety Code, is amended by adding Section 311.0435 to read as follows:

Sec. 311.0435. DUTY OF FOR-PROFIT HOSPITALS TO PROVIDE COMMUNITY BENEFITS. (a) For purposes of this section, "political subdivision" means a county, municipality, special district, school district, or other governmental subdivision of this state.

(b) A hospital that receives a tax abatement from a political subdivision, other than a nonprofit hospital to which Section 311.043 applies or a hospital owned or operated by a political subdivision, shall provide charity care and government-sponsored indigent health care as provided by this section.

(c) Subject to Subsection (d), a hospital to which this section applies shall provide charity care in an amount equal to at least five percent of the hospital's gross patient revenue, and government-sponsored indigent health care in an amount equal to at least four percent of the hospital's gross patient revenue. A hospital's gross patient revenue and the amount of charity care and government-sponsored indigent health care provided is determined by the hospital's most recently completed, audited fiscal year.

1 (d) A hospital may reduce the amount of charity care and
2 government-sponsored indigent care that it is required to provide
3 under this section as reasonably necessary due to a natural
4 disaster or other emergency that requires the hospital
5 substantially to curtail its operations.

6 (e) A hospital's admissions policy shall provide for the
7 admission of financially indigent and medically indigent persons,
8 as those terms are defined by Section 311.031.

9 (f) The department may deny, suspend, or revoke a hospital's
10 license for a violation of this section in accordance with Section
11 241.053.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2009.