

By: Truitt

H.B. No. 2576

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to a disclosure statement on the out-of-pocket costs  
3 incurred for health care services and supplies provided to  
4 consumers receiving outpatient care at a hospital outpatient  
5 clinic.

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

7 SECTION 1. Section 324.101(a), Health and Safety Code, is  
8 amended to read as follows:

9 (a) Each facility shall develop, implement, and enforce  
10 written policies for the billing of facility health care services  
11 and supplies. The policies must address:

12 (1) any discounting of facility charges to an  
13 uninsured consumer, subject to Chapter 552, Insurance Code;

14 (2) any discounting of facility charges provided to a  
15 financially or medically indigent consumer who qualifies for  
16 indigent services based on a sliding fee scale or a written charity  
17 care policy established by the facility and the documented income  
18 and other resources of the consumer;

19 (3) the providing of an itemized statement required by  
20 Subsection (e);

21 (4) whether interest will be applied to any billed  
22 service not covered by a third-party payor and the rate of any  
23 interest charged;

24 (5) the procedure for handling complaints;

1           (6) the providing of a conspicuous written disclosure  
2 to a consumer at the time the consumer is first admitted to the  
3 facility or first receives services at the facility that:

4           (A) provides confirmation whether the facility  
5 is a participating provider under the consumer's third-party payor  
6 coverage on the date services are to be rendered based on the  
7 information received from the consumer at the time the confirmation  
8 is provided;

9           (B) informs consumers that a facility-based  
10 physician who may provide services to the consumer while the  
11 consumer is in the facility may not be a participating provider with  
12 the same third-party payors as the facility;

13           (C) informs consumers that the consumer may  
14 receive a bill for medical services from a facility-based physician  
15 for the amount unpaid by the consumer's health benefit plan;

16           (D) informs consumers that the consumer may  
17 request a listing of facility-based physicians who have been  
18 granted medical staff privileges to provide medical services at  
19 the facility; and

20           (E) informs consumers that the consumer may  
21 request information from a facility-based physician on whether the  
22 physician has a contract with the consumer's health benefit plan  
23 and under what circumstances the consumer may be responsible for  
24 payment of any amounts not paid by the consumer's health benefit  
25 plan;

26           (7) the requirement that a facility provide a list, on  
27 request, to a consumer to be admitted to, or who is expected to

1 receive services from, the facility, that contains the name and  
2 contact information for each facility-based physician or  
3 facility-based physician group that has been granted medical staff  
4 privileges to provide medical services at the facility; ~~and~~

5 (8) if the facility operates a website that includes a  
6 listing of physicians who have been granted medical staff  
7 privileges to provide medical services at the facility, the posting  
8 on the facility's website of a list that contains the name and  
9 contact information for each facility-based physician or  
10 facility-based physician group that has been granted medical staff  
11 privileges to provide medical services at the facility and the  
12 updating of the list in any calendar quarter in which there are any  
13 changes to the list; and

14 (9) for a health care service or supply provided on an  
15 outpatient basis at a hospital outpatient clinic, the providing of  
16 a conspicuous written disclosure statement to a consumer at the  
17 time the consumer seeks outpatient care at the clinic that states:  
18 "DEPENDING ON YOUR INSURANCE COVERAGE, YOU MAY INCUR MORE  
19 OUT-OF-POCKET COSTS FOR A HEALTH CARE SERVICE OR SUPPLY PROVIDED AT  
20 THIS CLINIC THAN YOU MIGHT OTHERWISE INCUR IF YOU RECEIVED THE  
21 HEALTH CARE SERVICE OR SUPPLY AT A PHYSICIAN'S OFFICE."

22 SECTION 2. Section 324.101, Health and Safety Code, as  
23 amended by this Act, applies only to a health care service or supply  
24 provided at a hospital outpatient clinic on or after the effective  
25 date of this Act.

26 SECTION 3. This Act takes effect September 1, 2011.