

By: Deuell  
(Zerwas)

S.B. No. 1206

Substitute the following for S.B. No. 1206:

By: Kolkhorst

C.S.S.B. No. 1206

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to medical care and public health services provided by a  
3 health care professional in a licensed freestanding emergency  
4 medical care facility.

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

6 SECTION 1. Subchapter A, Chapter 254, Health and Safety  
7 Code, as added by Chapter 1273 (H.B. 1357), Acts of the 81st  
8 Legislature, Regular Session, 2009, is amended by adding Section  
9 254.002 to read as follows:

10 Sec. 254.002. APPLICABILITY OF CHAPTER; LIMITATIONS ON  
11 FACILITY FEES AND RULEMAKING AUTHORITY. (a) This chapter may not  
12 be construed as prohibiting a licensed health care professional  
13 from providing in a freestanding emergency medical care facility  
14 licensed under this chapter medical care provided at the time  
15 emergency care is provided, or public health services, that are  
16 within the scope of the health care professional's license and that  
17 are not required to be provided in another facility under other law.  
18 The health care professional may charge a facility fee for the  
19 medical care or public health service provided to a patient only if  
20 the care or service is provided:

21 (1) as part of the emergency care provided to the  
22 patient; or

23 (2) at the time nonrelated emergency care is provided  
24 to the patient.

1        (b) In adopting rules under Section 254.151(a), the  
2 executive commissioner may not adopt a rule that conflicts with  
3 Subsection (a).

4        SECTION 2. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2011.