

1-1 By: Kolkhorst (Senate Sponsor - Nelson) H.B. No. 1376
 1-2 (In the Senate - Received from the House May 3, 2013;
 1-3 May 6, 2013, read first time and referred to Committee on Health
 1-4 and Human Services; May 15, 2013, reported favorably by the
 1-5 following vote: Yeas 8, Nays 0; May 15, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nelson	X			
1-8 Deuell	X			
1-9 Huffman	X			
1-10 Nichols	X			
1-11 Schwertner	X			
1-12 Taylor			X	
1-13 Uresti	X			
1-14 West	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to advertising by certain facilities that provide
 1-20 emergency services; providing an administrative penalty.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 241, Health and Safety Code, is amended
 1-23 by adding Subchapter H to read as follows:

1-24 SUBCHAPTER H. FREESTANDING EMERGENCY MEDICAL CARE FACILITIES
 1-25 ASSOCIATED WITH LICENSED HOSPITALS

1-26 Sec. 241.181. APPLICABILITY. This subchapter applies only
 1-27 to a freestanding emergency medical care facility, as that term is
 1-28 defined by Section 254.001, that is exempt from the licensing
 1-29 requirements of Chapter 254 under Section 254.052(7) or (8).

1-30 Sec. 241.182. ADVERTISING. A facility described by Section
 1-31 241.181 may not advertise or hold itself out as a medical office,
 1-32 facility, or provider other than an emergency room if the facility
 1-33 charges for its services the usual and customary rate charged for
 1-34 the same service by a hospital emergency room in the same region of
 1-35 the state or located in a region of the state with comparable rates
 1-36 for emergency health care services.

1-37 Sec. 241.183. POSTED NOTICE. Subject to Section 241.006,
 1-38 the department shall adopt rules for a notice to be posted in a
 1-39 conspicuous place in the facility described by Section 241.181 that
 1-40 notifies prospective patients that the facility is an emergency
 1-41 room and charges rates comparable to a hospital emergency room.

1-42 Sec. 241.184. ADMINISTRATIVE PENALTY. The commissioner of
 1-43 health may assess an administrative penalty under Section 241.059
 1-44 against a hospital that violates this subchapter.

1-45 SECTION 2. As soon as practicable after the effective date
 1-46 of this Act, the Department of State Health Services shall adopt
 1-47 rules relating to the notice required under Section 241.183, Health
 1-48 and Safety Code, as added by this Act.

1-49 SECTION 3. This Act takes effect September 1, 2013.

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