

By: Deuell

S.B. No. 413

A BILL TO BE ENTITLED

1 AN ACT
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, is amended by adding Section 254.002 to read as follows:

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

19 (1) as part of the emergency care provided to the
20 patient; or

21 (2) at the time nonrelated emergency care is provided
22 to the patient.

23 (b) The executive commissioner may not adopt a rule under
24 Section 254.151(a) that conflicts with Subsection (a).

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2013.