

By: Farrar

H.B. No. 3122

A BILL TO BE ENTITLED

AN ACT

relating to notice for patients of freestanding emergency medical care facilities.

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

SECTION 1. Subchapter D, Chapter 254, Health and Safety Code, is amended by adding Section 254.156 to read as follows:

Sec. 254.156. PATIENT NOTICE. (a) A facility shall provide to a patient a notice that:

(1) states whether the facility participates in a provider network, as described by Section 254.001, and lists each provider network in which the facility participates;

(2) states whether the facility is an enrolled provider under Medicaid;

(3) states:

(A) whether the facility accepts Medicare assignment;

(B) whether the facility accepts the payment terms of, or is a network provider under, any Medicare Advantage plan; and

(C) each plan that provides this coverage for facility patients;

(4) states whether the facility is a network provider under the TRICARE Military Health System or is a non-network provider accepting TRICARE patients;

1 (5) provides the address, phone number, and hours of
2 operation of the nearest facility that provides urgent care but
3 that is not an emergency care facility or hospital emergency
4 department; and

5 (6) lists the Internet website, phone number, and
6 e-mail address of the Texas Department of Insurance.

7 (b) The notice must be:

8 (1) provided on a single page not less than 8.5 inches
9 by 11 inches in size; and

10 (2) printed using a font that is at least 14 points in
11 size.

12 (c) The facility shall provide the notice to a patient as
13 soon as possible after the patient enters the facility and before
14 the patient receives a medical or health care service at the
15 facility. The facility shall retain a copy of the notice, signed by
16 the patient, in the patient's medical records. A patient who is
17 incapacitated is not required to sign the notice. The facility
18 shall provide the notice to a person who accompanies the
19 incapacitated patient to the facility, if any.

20 (d) A facility shall publish the notice on the facility's
21 Internet website.

22 SECTION 2. A freestanding medical care emergency facility
23 is not required to comply with Section 254.156, Health and Safety
24 Code, as added by this Act, before January 1, 2018.

25 SECTION 3. This Act takes effect September 1, 2017.