

AN ACT

1
2 relating to notice of health benefit plan provider network status
3 provided by certain freestanding emergency medical care
4 facilities.

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

6 SECTION 1. Section 241.252, Health and Safety Code, is
7 amended by amending Subsection (b) and adding Subsection (e) to
8 read as follows:

9 (b) A facility described by Section 241.251 shall post
10 notice that:

11 (1) states:

12 (A) [~~(1) that~~] the facility is a freestanding
13 emergency medical care facility;

14 (B) [~~(2) that~~] the facility charges rates
15 comparable to a hospital emergency room and may charge a facility
16 fee;

17 (C) [~~(3) that~~] a facility or a physician
18 providing medical care at the facility may not be a participating
19 provider in the patient's health benefit plan provider network; and

20 (D) [~~(4) that~~] a physician providing medical
21 care at the facility may bill separately from the facility for the
22 medical care provided to a patient; and

23 (2) either:

24 (A) lists the health benefit plans in which the

1 facility is a participating provider in the health benefit plan's
2 provider network; or

3 (B) states the facility is not a participating
4 provider in any health benefit plan provider network.

5 (e) Notwithstanding Subsection (c), a facility that is a
6 participating provider in one or more health benefit plan provider
7 networks complies with Subsection (b)(2) if the facility:

8 (1) provides notice on the facility's Internet website
9 listing the health benefit plans in which the facility is a
10 participating provider in the health benefit plan's provider
11 network; and

12 (2) provides to a patient written confirmation of
13 whether the facility is a participating provider in the patient's
14 health benefit plan's provider network.

15 SECTION 2. Section 254.155, Health and Safety Code, is
16 amended by amending Subsection (a) and adding Subsection (d) to
17 read as follows:

18 (a) A facility shall post notice that:

19 (1) states:

20 (A) ~~[(1) that]~~ (A) the facility is a freestanding
21 emergency medical care facility;

22 (B) ~~[(2) that]~~ (B) the facility charges rates
23 comparable to a hospital emergency room and may charge a facility
24 fee;

25 (C) ~~[(3) that]~~ (C) a facility or a physician
26 providing medical care at the facility may not be a participating
27 provider in the patient's health benefit plan provider network; and

1 (D) [~~(4) that~~] a physician providing medical
2 care at the facility may bill separately from the facility for the
3 medical care provided to a patient; and

4 (2) either:

5 (A) lists the health benefit plans in which the
6 facility is a participating provider in the health benefit plan's
7 provider network; or

8 (B) states the facility is not a participating
9 provider in any health benefit plan provider network.

10 (d) Notwithstanding Subsection (b), a facility that is a
11 participating provider in one or more health benefit plan provider
12 networks complies with Subsection (a)(2) if the facility:

13 (1) provides notice on the facility's Internet website
14 listing the health benefit plans in which the facility is a
15 participating provider in the health benefit plan's provider
16 network; and

17 (2) provides to a patient written confirmation of
18 whether the facility is a participating provider in the patient's
19 health benefit plan's provider network.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 3276 was passed by the House on May 3, 2017, by the following vote: Yeas 133, Nays 10, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3276 was passed by the Senate on May 18, 2017, by the following vote: Yeas 27, Nays 3.

Secretary of the Senate

APPROVED: _____

Date

Governor