

By: Leach

H.B. No. 2929

A BILL TO BE ENTITLED

AN ACT

relating to hospital liens.

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

SECTION 1. Chapter 55, Property Code, is amended by adding Section 55.0015 to read as follows:

Sec. 55.0015. ADMISSION TO HOSPITAL. For purposes of this chapter, an injured individual is considered admitted to a hospital if the individual is allowed access to any department of the hospital for the provision of any treatment, care, or service to the individual.

SECTION 2. Sections 55.004(b) and (d), Property Code, are amended to read as follows:

(b) A hospital lien described by Section 55.002(a) is for the lesser of:

(1) the amount of the hospital's charges for services provided to the injured individual during the first 100 days of the injured individual's hospitalization; or

(2) 50 percent of all amounts recovered by the injured individual through a cause of action, judgment, or settlement described by Section 55.003(a).

(d) A hospital lien described by Section 55.002(a) does not cover:

(1) charges for other services that exceed a reasonable and regular rate for the services;

1 (2) charges by the physician related to any services
2 provided under Subsection (c) for which the physician has accepted
3 insurance benefits or payment under a private medical indemnity
4 plan or program, regardless of whether the benefits or payment
5 equals the full amount of the physician's charges for those
6 services;

7 (3) charges by the physician for services provided
8 under Subsection (c) if the injured individual has coverage under a
9 private medical indemnity plan or program from which the physician
10 is entitled to recover payment for the physician's services under
11 an assignment of benefits or similar rights; ~~or~~

12 (4) charges by the physician related to any services
13 provided under Subsection (c) if the physician is a member of the
14 legislature; or

15 (5) charges for which recovery is barred under Section
16 146.003, Civil Practice and Remedies Code.

17 SECTION 3. The addition by this Act of Section 55.0015,
18 Property Code, is intended to clarify rather than change the
19 existing law.

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2019.