By:  Oliverson, Meyer, Allison H.B. No. 1445

(Senate Sponsor - Nichols)

(In the Senate - Received from the House April 8, 2021; April 8, 2021, read first time and referred to Committee on Finance; April 13, 2021, reported favorably by the following vote: Yeas 14, Nays 0; April 13, 2021, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Nelson               X

Lucio                X

Bettencourt          X

Buckingham           X

Campbell             X

Creighton            X

Hancock              X

Huffman              X

Kolkhorst            X

Nichols              X

Perry                X

Schwertner           X

Taylor                         X

West                 X

Whitmire             X

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of the sales and use tax to medical or dental billing services.

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

SECTION 1.  Section 151.0039(b), Tax Code, is amended to read as follows:

(b)  "Insurance service" does not include:

(1)  insurance coverage for which a premium is paid or commissions paid to insurance agents for the sale of insurance or annuities;

(2)  a service performed on behalf of an insured by a person licensed under Chapter 4102, Insurance Code;

(3)  a service performed by a certified public accountancy firm, if less than one percent of the firm's total revenue in the prior calendar year is from services in this state that would otherwise constitute insurance service under Subsection (a); [~~or~~]

(4)  a service performed on behalf of a certified public accountancy firm by an owner of the firm or a member of the firm's affiliated group, if less than one percent of the owner's or member's total revenue in the prior calendar year is from services in this state that would otherwise constitute insurance service under Subsection (a); or

(5)  a medical or dental billing service performed before the original submission of:

(A)  a medical or dental insurance claim related to health or dental coverage; or

(B)  a claim related to health or dental coverage made to a medical assistance program funded by the federal government, a state government, or both.

SECTION 2.  Section 151.0039(c), Tax Code, is amended by adding Subdivision (3) to read as follows:

(3)  "Medical or dental billing service" means assigning codes for the preparation of a medical or dental claim, verifying medical or dental insurance eligibility, preparing a medical or dental claim form for filing, and filing a medical or dental claim.

SECTION 3.  The change in law made by this Act does not affect tax liability accruing before the effective date of this Act. That liability continues in effect as if this Act had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

SECTION 4.  This Act takes effect January 1, 2022.

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