

By: Harris Davila

H.B. No. 251

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to price estimates and billing requirements for certain  
3 health care facilities.

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

5 SECTION 1. Section 324.001, Health and Safety Code, is  
6 amended by adding Subdivision (5-a) to read as follows:

7 (5-a) "Estimate" means a written statement outlining  
8 the total amount a facility will accept as payment in full,  
9 inclusive of all payment sources, for a nonemergency elective  
10 medical service or procedure.

11 SECTION 2. Section 324.101, Health and Safety Code, is  
12 amended by amending Subsections (d) and (g) and adding Subsections  
13 (d-1) and (d-2) to read as follows:

14 (d) A consumer who presents to a [The] facility a valid  
15 medical order [shall provide an estimate of the facility's charges]  
16 for any elective inpatient admission or nonemergency outpatient  
17 surgical procedure or other service is entitled to receive on  
18 request and before the scheduling of the admission, [or] procedure,  
19 or service an estimate from the facility. Not later than 24 hours  
20 after receiving a request for an estimate under this subsection,  
21 the facility shall provide the [The] estimate to the requesting  
22 consumer in person, by e-mail, or through an online patient portal,  
23 as chosen by the consumer [must be provided not later than the 10th  
24 business day after the date on which the estimate is requested].

1 ~~[The facility must advise the consumer that:~~

2 ~~[(1) the request for an estimate of charges may result~~  
3 ~~in a delay in the scheduling and provision of the inpatient~~  
4 ~~admission, outpatient surgical procedure, or other service;~~

5 ~~[(2) the actual charges for an inpatient admission,~~  
6 ~~outpatient surgical procedure, or other service will vary based on~~  
7 ~~the person's medical condition and other factors associated with~~  
8 ~~performance of the procedure or service;~~

9 ~~[(3) the actual charges for an inpatient admission,~~  
10 ~~outpatient surgical procedure, or other service may differ from the~~  
11 ~~amount to be paid by the consumer or the consumer's third-party~~  
12 ~~payor;~~

13 ~~[(4) the consumer may be personally liable for payment~~  
14 ~~for the inpatient admission, outpatient surgical procedure, or~~  
15 ~~other service depending on the consumer's health benefit plan~~  
16 ~~coverage; and~~

17 ~~[(5) the consumer should contact the consumer's health~~  
18 ~~benefit plan for accurate information regarding the plan structure,~~  
19 ~~benefit coverage, deductibles, copayments, coinsurance, and other~~  
20 ~~plan provisions that may impact the consumer's liability for~~  
21 ~~payment for the inpatient admission, outpatient surgical~~  
22 ~~procedure, or other service.]~~

23 (d-1) A facility's final billed charges may not exceed the  
24 amount specified in the estimate provided under Subsection (d) by  
25 more than five percent unless the additional charges are:

26 (1) related to complications arising during the  
27 procedure or service and not reasonably avoidable in provision of

1 the procedure or service by the medical provider while exercising  
2 reasonable medical judgment; or

3 (2) as a result of a change of diagnosis not  
4 discoverable before the procedure or service and documented in the  
5 patient's chart.

6 (d-2) If the final billed charges exceed the amount  
7 specified in an estimate provided under Subsection (d) by more than  
8 five percent, the facility must provide to the patient a written  
9 statement describing:

10 (1) the difference in the final billed amount and the  
11 estimate amount; and

12 (2) a plain-language explanation describing the  
13 complications or change of diagnosis that resulted in the  
14 difference.

15 (g) A facility that violates ~~[in violation of]~~ this section:

16 (1) may not:

17 (A) collect or take any collection action against  
18 a consumer or other financially responsible party;

19 (B) report the consumer to a credit bureau; or

20 (C) pursue an action against the consumer; and

21 (2) is subject to enforcement action by the  
22 appropriate licensing agency.

23 SECTION 3. Subchapter B, Chapter 324, Health and Safety  
24 Code, is repealed.

25 SECTION 4. The changes in law made to Chapter 324, Health  
26 and Safety Code, apply only to a request for an estimate made on or  
27 after the effective date of this Act. A request for an estimate

1 made before the effective date of this Act is governed by the law in  
2 effect at the time the request was made, and the former law is  
3 continued in effect for that purpose.

4 SECTION 5. This Act takes effect September 1, 2025.