

By: Hickland

H.B. No. 1314

Substitute the following for H.B. No. 1314:

By: VanDeaver

C.S.H.B. No. 1314

A BILL TO BE ENTITLED

AN ACT

relating to price estimates and billing requirements for certain health care facilities.

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

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

(5-a) "Estimate" means a written statement outlining a consumer's total expected billed charges for a nonemergency elective medical service or procedure.

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

(d) A consumer is entitled to receive and a [The] facility shall provide to a consumer an estimate of the facility's billed charges for any elective inpatient admission or nonemergency outpatient surgical procedure or other service on the consumer's request and before the scheduling of the admission, [or] procedure, or service. Not later than five business days after receiving a request for an estimate under this subsection, the facility shall provide the [The] estimate to the requesting consumer by e-mail  
~~[must be provided not later than the 10th business day after the date on which the estimate is requested]~~. The facility must advise the consumer that:

(1) the request for an estimate of billed charges may

1 result in a delay in the scheduling and provision of the inpatient  
2 admission, outpatient surgical procedure, or other service;

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

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

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

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

21 (d-1) A facility shall include in the estimate provided  
22 under Subsection (a) information regarding the manner in which an  
23 eligible consumer may dispute final billed charges that exceed the  
24 amount specified in the estimate by \$400 or more, as provided by 45  
25 C.F.R. Section 149.620.

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

27 (1) may not:

1                    (A) take or facilitate the taking of any  
2 third-party collection action against a consumer;

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

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

5                    (2) is subject to an enforcement action by the  
6 appropriate licensing agency.

7                    SECTION 3. Subchapter B, Chapter 324, Health and Safety  
8 Code, is repealed.

9                    SECTION 4. The changes in law made to Chapter 324, Health  
10 and Safety Code, apply only to a request for an estimate made on or  
11 after the effective date of this Act. A request for an estimate  
12 made before the effective date of this Act is governed by the law in  
13 effect at the time the request was made, and the former law is  
14 continued in effect for that purpose.

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