

By: Hickland

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 who presents to a [The] facility a valid medical order ~~[shall provide an estimate of the facility's charges]~~ for any elective inpatient admission or nonemergency outpatient surgical procedure or other service is entitled to receive on request and before the scheduling of the admission, [or] procedure, or service an estimate of the facility's charges for the admission, procedure, or service. Not later than 24 hours 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           (1) the request for an estimate of billed charges may  
2 result in a delay in the scheduling and provision of the inpatient  
3 admission, outpatient surgical procedure, or other service;

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

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

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

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

22           (d-1) A facility's final billed charges may not exceed the  
23 amount specified in an estimate by more than five percent unless the  
24 additional charges are related to complications that arose during  
25 the procedure or service or as a result of a change of diagnosis  
26 that is documented in the patient's chart. If the final billed  
27 charges exceed the amount specified in an estimate by more than five

1 percent, the facility shall provide to the patient a written  
2 statement describing:

3 (1) the difference in the billed charge amount and the  
4 estimate amount; and

5 (2) the complications or change of diagnosis that  
6 resulted in the difference.

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

8 (1) may not:

9 (A) collect or take any collection action against  
10 a consumer;

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

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

13 (2) is subject to an enforcement action by the  
14 appropriate licensing agency.

15 SECTION 3. Subchapter B, Chapter 324, Health and Safety  
16 Code, is repealed.

17 SECTION 4. The changes in law made to Chapter 324, Health  
18 and Safety Code, apply only to a request for an estimate made on or  
19 after the effective date of this Act. A request for an estimate  
20 made before the effective date of this Act is governed by the law in  
21 effect at the time the request was made, and the former law is  
22 continued in effect for that purpose.

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