

By: Kolkhorst

S.B. No. 331

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure of health care cost information by certain health care facilities; imposing an administrative penalty.

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

SECTION 1. Section 327.001(7), Health and Safety Code, is amended to read as follows:

(7) "Facility" means:

(A) a hospital, including:

(i) a general hospital;

(ii) a special hospital;

(iii) a mental hospital;

(iv) a hospital that operates a crisis stabilization unit;

(v) a limited services rural hospital; or

(vi) a hospital operating under a certificate of public advantage under Chapter 314 or 314A;

(B) an abortion facility;

(C) an ambulatory surgical center;

(D) a birthing center;

(E) a chemical dependency treatment facility;

(F) an end stage renal disease facility;

(G) a freestanding emergency medical care facility;

1                    (H) a narcotic drug treatment program; or

2                    (I) a special care facility ~~[licensed under~~  
3 ~~Chapter 241]~~.

4            SECTION 2. Chapter 327, Health and Safety Code, is amended  
5 by adding Section 327.0015 to read as follows:

6            Sec. 327.0015. APPLICABILITY. This chapter applies only to  
7 a facility with a total gross revenue of \$7 million or more.

8            SECTION 3. Sections 327.008(a), (c), and (d), Health and  
9 Safety Code, are amended to read as follows:

10           (a) The commission may impose an administrative penalty on a  
11 facility ~~[in accordance with Chapter 241]~~ if the facility fails to:

12                    (1) respond to the commission's request to submit a  
13 corrective action plan; or

14                    (2) comply with the requirements of a corrective  
15 action plan submitted to the commission.

16           (c) For a facility with one of the following total gross  
17 revenues ~~[as reported to the Centers for Medicare and Medicaid~~  
18 ~~Services or to another entity designated by commission rule in the~~  
19 ~~year preceding the year in which a penalty is imposed]~~, the penalty  
20 imposed by the commission may not exceed:

21                    (1) ~~[\$10 for each day the facility violated this~~  
22 ~~chapter, if the facility's total gross revenue is less than~~  
23 ~~\$10,000,000,~~

24                    ~~[(2)]~~ \$100 for each day the facility violated this  
25 chapter, if the facility's total gross revenue is \$7,000,000  
26 ~~[\$10,000,000]~~ or more and less than \$100,000,000; and

27                    (2) ~~[(3)]~~ \$1,000 for each day the facility violated

1 this chapter, if the facility's total gross revenue is \$100,000,000  
2 or more.

3 (d) Each day a violation continues is considered a separate  
4 violation. A cumulative administrative penalty may not exceed the  
5 applicable daily amount provided by Subsection (c).

6 SECTION 4. A health care facility required to disclose  
7 billing information as a result of the amendment to Chapter 327,  
8 Health and Safety Code, by this Act is not required to disclose  
9 information in accordance with that chapter until August 31, 2029.

10 SECTION 5. Section 327.008, Health and Safety Code, as  
11 amended by this Act, applies only to a violation that occurs on or  
12 after the effective date of this Act. A violation that occurs  
13 before the effective date of this Act is governed by the law as it  
14 existed on the date the violation occurred, and that law is  
15 continued in effect for that purpose.

16 SECTION 6. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2025.