

By: Hinojosa of Nueces

S.B. No. 1511

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the provision of health care services by a freestanding  
3 emergency medical care facility and the collection of fees for  
4 providing those services.

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

6 SECTION 1. Section 254.001, Health and Safety Code, is  
7 amended by adding Subdivision (5-a) to read as follows:

8 (5-a) "Patient" means an individual who seeks or  
9 receives emergency care at a facility.

10 SECTION 2. Subchapter A, Chapter 254, Health and Safety  
11 Code, is amended by adding Section 254.002 to read as follows:

12 Sec. 254.002. PURPOSE; CONSTRUCTION. (a) The purpose of  
13 this chapter is to protect patients who may be in need of emergency  
14 care by ensuring that a facility established, operated, or held out  
15 to the public as a facility regulated under this chapter meets the  
16 standards for providing emergency care required by this chapter and  
17 rules adopted under this chapter, including the capacity to  
18 stabilize and transfer patients.

19 (b) To increase access to and ensure the efficient delivery  
20 of health care services in this state, this chapter may not be  
21 construed to prohibit the collocation of emergency care and health  
22 care services other than emergency care at a facility or the dual  
23 use of a facility's personnel, equipment, supplies, furnishings,  
24 laboratory, or other property for the provision of health care

1 services other than emergency care.

2 (c) A facility's provision of health care services other  
3 than emergency care is governed by the law applicable to those  
4 services.

5 SECTION 3. Subchapter D, Chapter 254, Health and Safety  
6 Code, is amended by adding Section 254.152 to read as follows:

7 Sec. 254.152. REFERENCE TO FEE OR RATE. In this subchapter,  
8 a reference to a fee or rate means an amount charged to a patient for  
9 emergency care provided at a facility and includes a facility fee  
10 related to the provision of that emergency care.

11 SECTION 4. Section 254.155(a), Health and Safety Code, is  
12 amended to read as follows:

13 (a) A facility shall post notice that:

14 (1) states:

15 (A) the facility is a freestanding emergency  
16 medical care facility;

17 (B) the facility charges rates comparable to a  
18 hospital emergency room and may charge a facility fee only for the  
19 provision of emergency care;

20 (C) a facility or a physician providing medical  
21 care at the facility may be an out-of-network provider for the  
22 patient's health benefit plan provider network; and

23 (D) a physician providing medical care at the  
24 facility may bill separately from the facility for the medical care  
25 provided to a patient; and

26 (2) either:

27 (A) lists the health benefit plans in which the

1 facility is an in-network provider in the health benefit plan's  
2 provider network; or

3 (B) states the facility is an out-of-network  
4 provider for all health benefit plans.

5 SECTION 5. Section 254.1555, Health and Safety Code, is  
6 amended by adding Subsection (a-1) to read as follows:

7 (a-1) A facility providing health care services other than  
8 emergency care may not charge a facility fee for the provision of  
9 those services.

10 SECTION 6. Section 254.156(d), Health and Safety Code, is  
11 amended to read as follows:

12 (d) The disclosure statement:

13 (1) must include:

14 (A) the name and contact information of the  
15 facility; and

16 (B) a place for the patient or the patient's  
17 legally authorized representative and an employee of the facility  
18 to sign and date the disclosure statement;

19 (2) may include information on the facility's  
20 procedures for seeking reimbursement from the patient's health  
21 benefit plan; and

22 (3) must, as applicable:

23 (A) state "This facility charges a facility fee  
24 for emergency care [~~medical treatment~~]" and include:

25 (i) the facility's median facility fee;

26 (ii) a range of possible facility fees; and

27 (iii) the facility fees for each level of

1 care provided at the facility; and

2 (B) state "This facility charges an observation  
3 fee for medical treatment" and include:

4 (i) the facility's median observation fee;

5 (ii) a range of possible observation fees;

6 and

7 (iii) the observation fees for each level  
8 of care provided at the facility.

9 SECTION 7. This Act takes effect September 1, 2025.