

SENATE AMENDMENTS

2nd Printing

By: Harris Davila, Frank

H.B. No. 216

A BILL TO BE ENTITLED

1 AN ACT
2 relating to itemized billing for health care services and supplies
3 provided by health care providers.

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

5 SECTION 1. Section 185.002, Health and Safety Code, is
6 amended by amending Subsections (a), (c), and (d) and adding
7 Subsection (c-1) to read as follows:

8 (a) A health care provider that requests payment from a
9 patient after providing a health care service or related supply to
10 the patient shall submit with the request a written, itemized bill
11 of the alleged amount due for ~~[cost of]~~ each service and supply
12 provided to the patient during the patient's visit to the
13 provider. The provider must submit the itemized bill not later
14 than the 30th day after the provider receives a final payment on the
15 provided service or supply from a third party.

16 (c) A health care provider may issue the itemized bill:

17 (1) electronically, including through a patient
18 portal on the provider's Internet website, subject to Subsection
19 (c-1);

20 (2) through a hard copy delivered by mail or a common
21 carrier; or

22 (3) through a hard copy the patient or the patient's
23 designee obtains at the provider's place of business.

24 (c-1) A health care provider that issues an itemized bill to

1 a patient electronically through a patient portal under Subsection
2 (c) shall:

3 (1) determine whether the patient has an active
4 patient profile on the portal, if feasible; and

5 (2) if the health care provider is able to determine
6 that the patient does not have an active patient portal, mail,
7 e-mail, or provide a physical copy of the itemized bill to the
8 patient, according to the patient's preference.

9 (d) A patient is entitled to obtain from the health care
10 provider an itemized bill:

11 (1) subject to Subdivision (3), on request [at any
12 time] after the itemized bill is initially issued under Subsection
13 (a);

14 (2) through the patient's chosen method of issuance in
15 accordance with Subsection (c); and

16 (3) until the date the provider is no longer required
17 to retain an itemized bill under applicable record retention laws
18 or provider policies and procedures regarding retention of patient
19 billing information.

20 SECTION 2. Section 185.003, Health and Safety Code, is
21 amended to read as follows:

22 Sec. 185.003. DISCIPLINARY ACTION BY LICENSING
23 AUTHORITY. (a) The appropriate licensing authority shall take
24 disciplinary action against a health care [the] provider that
25 violates this chapter [for the violation] as if the provider
26 violated an applicable licensing law.

27 (b) Subsection (a) does not apply to a health care provider

1 that in good faith mails a hard copy of an itemized bill to a patient

2 if:

3 (1) the mailed copy is returned as undeliverable or

4 lost; or

5 (2) the address on file for the patient was not current

6 at the time the itemized bill was mailed.

7 SECTION 3. Sections 311.002(b), (c), and (d), Health and
8 Safety Code, are repealed.

9 SECTION 4. The changes in law made by this Act apply only to
10 an itemized bill issued on or after the effective date of this Act.
11 An itemized bill issued before the effective date of this Act is
12 governed by the law in effect on the date the itemized bill was
13 issued, and the former law is continued in effect for that purpose.

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

ADOPTED

MAY 25 2025

Lately Spaw
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

Bryan Hughes

1 Amend H.B. No. 216 (senate committee report) in SECTION 1 of
2 the bill by striking added Section 185.002(c-1)(2), Health and
3 Safety Code (page 1, lines 46 through 49), and substituting the
4 following:

5 (2) mail, e-mail, or provide a physical copy of the
6 itemized bill to the patient, according to the patient's chosen
7 method of issuance, if the health care provider:

8 (A) determines the patient does not have an
9 active patient portal; or

10 (B) is unable to determine whether the patient
11 has an active patient portal.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 26, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB216 by Harris Davila (Relating to itemized billing for health care services and supplies provided by health care providers.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 529 Health and Human Services Commission

LBB Staff: JMc, NPe, BFa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 19, 2025

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB216 by Harris Davila (Relating to itemized billing for health care services and supplies provided by health care providers.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 529 Health and Human Services Commission

LBB Staff: JMc, NPe, BFa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 26, 2025

TO: Honorable Gary VanDeaver, Chair, House Committee on Public Health

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB216 by Harris Davila (Relating to itemized billing for health care services and supplies provided by health care providers.), **Committee Report 1st House, Substituted**

The fiscal implications of the bill cannot be determined due to uncertainty in the amount of enforcement actions taken as a result of implementing the provisions of the bill.

The bill would amend the Health and Safety Code to require a healthcare provider to check if a patient has a patient portal profile before issuing an itemized bill through a patient portal, and if not, the provider must mail the itemized bill to the patient. The bill would require the appropriate licensing authority to take disciplinary action against a healthcare provider if they fail to do so.

Based on analysis provided by the Texas Medical Board, the potential impact of implementing the provisions of the bill could create an increase in complaints and investigations to the extent of requiring additional resources. Given the uncertainty of the number and complexity of these complaints, the fiscal impact cannot be determined.

Based on analysis provided by the Health and Human Services Commission, any additional workload as a result of implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect September 1, 2025.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 529 Health and Human Services Commission

LBB Staff: JMc, NPe, BFa, GDZ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 17, 2025

TO: Honorable Gary VanDeaver, Chair, House Committee on Public Health

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB216 by Harris Davila (Relating to itemized billing for health care services and supplies provided by health care providers.), **As Introduced**

The fiscal implications of the bill cannot be determined due to uncertainty in the amount of enforcement actions taken as a result of implementing the provisions of the bill.

The bill would amend the Health and Safety Code to require a healthcare provider to check if a patient has a patient portal profile before issuing an itemized bill through a patient portal, and if not, the provider must mail the itemized bill to the patient. The bill would require the appropriate licensing authority to take disciplinary action against a healthcare provider if they fail to do so.

Based on analysis provided by the Texas Medical Board, the potential impact of implementing the provisions of the bill could create an increase in complaints and investigations to the extent of requiring additional resources. Given the uncertainty of the number and complexity of these complaints, the fiscal impact cannot be determined.

Based on analysis provided by the Health and Human Services Commission, any additional workload as a result of implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect September 1, 2025.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 529 Health and Human Services Commission

LBB Staff: JMc, NPe, GDZ, BFa