

AN ACT

relating to health care information provided by and notice of facility fees charged by certain freestanding emergency medical care facilities.

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

SECTION 1. Chapter 241, Health and Safety Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. NOTICE OF FACILITY FEES IN CERTAIN FREESTANDING
EMERGENCY MEDICAL CARE FACILITIES

Sec. 241.251. APPLICABILITY. This subchapter applies only to a freestanding emergency medical care facility, as that term is defined by Section 254.001, that is exempt from the licensing requirements of Chapter 254 under Section 254.052(8).

Sec. 241.252. NOTICE OF FEES. (a) In this section, "provider network" has the meaning assigned by Section 1456.001, Insurance Code.

(b) A facility described by Section 241.251 shall post notice that states:

(1) that the facility is a freestanding emergency medical care facility;

(2) that the facility charges rates comparable to a hospital emergency room and may charge a facility fee;

(3) that a facility or a physician providing medical care at the facility may not be a participating provider in the

1 patient's health benefit plan provider network; and

2 (4) that a physician providing medical care at the
3 facility may bill separately from the facility for the medical care
4 provided to a patient.

5 (c) The notice required by this section must be posted
6 prominently and conspicuously:

7 (1) at the primary entrance to the facility;

8 (2) in each patient treatment room;

9 (3) at each location within the facility at which a
10 person pays for health care services; and

11 (4) on the facility's Internet website.

12 (d) The notice required by Subsections (c)(1), (2), and (3)
13 must be in legible print on a sign with dimensions of at least 8.5
14 inches by 11 inches.

15 SECTION 2. Section 254.001, Health and Safety Code, is
16 amended by adding Subdivision (6) to read as follows:

17 (6) "Provider network" has the meaning assigned by
18 Section 1456.001, Insurance Code.

19 SECTION 3. Subchapter D, Chapter 254, Health and Safety
20 Code, is amended by adding Section 254.155 to read as follows:

21 Sec. 254.155. NOTICE OF FEES. (a) A facility shall post
22 notice that states:

23 (1) that the facility is a freestanding emergency
24 medical care facility;

25 (2) that the facility charges rates comparable to a
26 hospital emergency room and may charge a facility fee;

27 (3) that a facility or a physician providing medical

1 care at the facility may not be a participating provider in the
2 patient's health benefit plan provider network; and

3 (4) that a physician providing medical care at the
4 facility may bill separately from the facility for the medical care
5 provided to a patient.

6 (b) The notice required by this section must be posted
7 prominently and conspicuously:

8 (1) at the primary entrance to the facility;

9 (2) in each patient treatment room;

10 (3) at each location within the facility at which a
11 person pays for health care services; and

12 (4) on the facility's Internet website.

13 (c) The notice required by Subsections (b)(1), (2), and (3)
14 must be in legible print on a sign with dimensions of at least 8.5
15 inches by 11 inches.

16 SECTION 4. Section 324.001(7), Health and Safety Code, is
17 amended to read as follows:

18 (7) "Facility" means:

19 (A) an ambulatory surgical center licensed under
20 Chapter 243;

21 (B) a birthing center licensed under Chapter 244;
22 ~~[or]~~

23 (C) a hospital licensed under Chapter 241; or

24 (D) a freestanding emergency medical care
25 facility, as defined in Section 254.001, including a freestanding
26 emergency medical care facility that is exempt from the licensing
27 requirements of Chapter 254 under Section 254.052(8).

1 SECTION 5. Section [241.183](#), Health and Safety Code, as
2 added by Chapter 917 (H.B. 1376), Acts of the 83rd Legislature,
3 Regular Session, 2013, and as amended by S.B. 219, Acts of the 84th
4 Legislature, Regular Session, 2015, is repealed.

5 SECTION 6. (a) Notwithstanding Subchapter J, Chapter 241,
6 Health and Safety Code, and Section 254.155, Health and Safety
7 Code, as added by this Act, a freestanding emergency medical care
8 facility is not required to comply with those provisions until
9 January 1, 2016.

10 (b) Notwithstanding Chapter 324, Health and Safety Code, as
11 amended by this Act, a freestanding emergency medical care facility
12 is not required to comply with Chapter 324, Health and Safety Code,
13 until January 1, 2016.

14 SECTION 7. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 425 passed the Senate on April 16, 2015, by the following vote: Yeas 30, Nays 1; and that the Senate concurred in House amendment on May 18, 2015, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 425 passed the House, with amendment, on May 12, 2015, by the following vote: Yeas 138, Nays 5, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor