

By: Paul

H.B. No. 3099

A BILL TO BE ENTITLED

AN ACT

relating to health care information provided by certain freestanding emergency medical care facilities.

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

SECTION 1. Section 241.252, Health and Safety Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

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

(1) that the facility is a freestanding emergency medical care facility and not an urgent care center;

(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 patient's health benefit plan provider network, and~~

~~[(4)]~~ that a physician providing medical care at the facility may bill separately from the facility for the medical care provided to a patient;

(4) any facility fee charged by the facility, including the minimum and maximum facility fee amounts charged per visit; and

(5) either:

(A) that the facility does not participate in a

1 provider network; or

2 (B) that the facility participates in a provider  
3 network.

4 (b-1) The notice required under Subsection (b)(5)(B) must:

5 (1) identify the provider network;

6 (2) identify each physician providing medical care at  
7 the facility who is excluded from the provider network; and

8 (3) for each physician described by Subdivision (2):

9 (A) state that the physician may bill separately  
10 from the facility for the medical care provided to a patient; and

11 (B) provide the minimum and maximum amounts the  
12 physician charges for each patient visit.

13 SECTION 2. Section 254.155, Health and Safety Code, is  
14 amended by amending Subsection (a) and adding Subsection (a-1) to  
15 read as follows:

16 (a) A facility shall post notice that states:

17 (1) that the facility is a freestanding emergency  
18 medical care facility and not an urgent care center;

19 (2) that the facility charges rates comparable to a  
20 hospital emergency room ~~[and may charge a facility fee];~~

21 ~~(3) [that a facility or a physician providing medical~~  
22 ~~care at the facility may not be a participating provider in the~~  
23 ~~patient's health benefit plan provider network; and~~

24 ~~[(4)] that a physician providing medical care at the~~  
25 ~~facility may bill separately from the facility for the medical care~~  
26 ~~provided to a patient;~~

27 (4) any facility fee charged by the facility,

1 including the minimum and maximum facility fee amounts charged per  
2 visit; and

3 (5) either:

4 (A) that the facility does not participate in a  
5 provider network; or

6 (B) that the facility participates in a provider  
7 network.

8 (a-1) The notice required under Subsection (a)(5)(B) must:

9 (1) identify the provider network;

10 (2) identify each physician providing medical care at  
11 the facility who is excluded from the provider network; and

12 (3) for each physician described by Subdivision (2):

13 (A) state that the physician may bill separately  
14 from the facility for the medical care provided to a patient; and

15 (B) provide the minimum and maximum amounts the  
16 physician charges for each patient visit.

17 SECTION 3. Notwithstanding Sections [241.252](#) and [254.155](#),  
18 Health and Safety Code, as amended by this Act, a freestanding  
19 emergency medical care facility is not required to comply with  
20 those provisions until January 1, 2018.

21 SECTION 4. This Act takes effect September 1, 2017.