

BILL ANALYSIS

Senate Research Center
76R11302 MCK-D

C.S.S.B. 1294
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Health Services
4/14/1999
Committee Report (Substituted)

DIGEST

Lieutenant Governor Bob Bullock required the Health and Human Services Interim Committee (committee) to study current practices in patient billing by Texas hospitals and health care providers. The committee recommended amending Section 3.08(4)(G), Article 4495, V.T.C.S. (Texas Medical Practice Act) and Section 5b, Article 4512p, to delete certain language regarding persistently or flagrantly overcharging or overtreating a patient. C.S.S.B. 1294 would reference Section 311.0025, Health and Safety Code, to prohibit improper, unreasonable, or medically unnecessary billing by hospitals or health care professionals.

PURPOSE

As proposed, C.S.S.B. 1294 substitutes certain language regarding hospitals or health care professionals billing patients.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 311.0025, Health and Safety Code, by adding Subsection (e), to prohibit a licensing agency from taking disciplinary action against a hospital, treatment facility, mental health facility, or health care professional for unknowing and isolated billing errors.

SECTION 2. Amends Section 5(b), Article 4512p, V.T.C.S., to prohibit a health care professional from violating Section 311.0025, Health and Safety Code. Deletes text regarding persistently or flagrantly overcharging or overtreating a patient.

SECTION 3. Amends Section 3.08, Article 4495b, V.T.C.S., (Medical Practice Act), to authorize the Texas Board of Medical Examiners to refuse to admit persons to its examinations and to issue a license to practice medicine to any person and take disciplinary action against any person for certain reasons, including violating Section 311.0025, Health and Safety Code. Makes conforming changes.

SECTION 4. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 5. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 311.0025, Health and Safety Code, by deleting proposed changes to Subsection (c).

SECTION 3.

Amends Subsection (4)(G), Section 3.08, Article 4495b, V.T.C.S., by deleting text regarding any other state or federal law or rule to billing.