

## **BILL ANALYSIS**

Senate Research Center  
87R7988 SCL-D

S.B. 790  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

"Balance billing" refers to a practice in which a medical provider first bills the patient's insurer for an amount exceeding the insurer's typical rate, and, upon receiving "incomplete" payment, then bills the patient for the balance. Travis County operates STAR Flight, a public emergency helicopter service that conducts air ambulance, technical rescue, firefighting, and law enforcement support missions in 20 Central Texas counties. As emergency service providers, air ambulances, including STAR Flight, often are out-of-network for their patients, which can lead to balance billing.

As a public entity, Travis County may prefer simply not to balance bill for STAR Flight services. Unfortunately, the county's interpretation of state law is that it must attempt to recoup any and all monies owed to it. Accordingly, the county uses third-party debt collection for unpaid bills, which is largely unsuccessful and actively undermines STAR Flight's reputation with the public.

S.B. 790 would authorize counties to consider a health benefit plan payment toward a claim for air ambulance services provided by the county as payment in full for those services regardless of the amount the county charged for them. The bill only would apply to air ambulance services owned and operated by a county—not air ambulance services provided by a private actor via a contractual arrangement with a county.

As proposed, S.B. 790 amends current law relating to county authority to balance bill for county air ambulance services.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 113.902(a), Local Government Code, to require the county treasurer, except as provided by Section 113.9025, to direct prosecution for the recovery of any debt owed to the county, as provided by law, and to supervise the collection of the debt.

SECTION 2. Amends Subchapter Z, Chapter 113, Local Government Code, by adding Section 113.9025, as follows:

Sec. 113.9025. BALANCE BILLING FOR COUNTY AIR AMBULANCE SERVICES.  
(a) Defines "balance billing."

(b) Authorizes a county to elect to consider a health benefit plan payment towards a claim for air ambulance services provided by the county as payment in full for those services regardless of the amount the county charged for those services.

(c) Prohibits a county from practicing balance billing for a claim for which the county makes an election under Subsection (b).

SECTION 3. Effective date: September 1, 2021.