

## **BILL ANALYSIS**

Senate Research Center  
77R8021 CAS-D

C.S.S.B. 583  
By: Duncan  
Health & Human Services  
2/23/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, a hospital can hold a lien for services provided during a patient's first 100 days of treatment. An emergency room physician often does not get compensated. The collection rate for trauma treatment is low. As proposed, C.S.S.B. 583 provides for the lien to include the emergency room physician's compensation.

### **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 55.004, Property Code, to define "emergency hospital care." Authorizes the lien to also include the amount of a physician's reasonable and necessary charges for emergency hospital care services provided to the injured individual during the first seven days of the injured individual's hospitalization. Authorizes the hospital, at the request of the physician, to act on the physician's behalf in securing and discharging the lien. Provides that the lien does not cover charges for operating costs that exceed the cost limits established under Section 413.30, rather than Section 405.460, 42 Code of Federal Regulations; charges by the physician related to any services for which the physician has accepted benefits or payment under a private medical plan, regardless of whether it equaled the full amount of the charges; or charges by the physician if the injured individual has medical coverage from which the physician is entitled to recover payment.

SECTION 2. Effective date: September 1, 2001.  
Makes application of this Act prospective.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Differs from original by adding to the definition of "emergency hospital care"; clarifying the subsection regarding a physician's reimbursement by a private medical plan; and adding the stipulation that a physician's entitlement to compensation by a private medical plan makes the physician's charges ineligible to be covered by the lien.