

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/29/2025
Date

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 331 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

J. W. Keller
Sen. Kolkhorst, Chair

E. J. Blanco
Sen. Blanco

Bob Hall
Sen. Hall

Sen. Hancock
Sen. Hancock

Sen. Perry
On the part of the Senate
Sen. Perry

James B. Zerk
CHAIR

Claude DeLoach

Kathleen

Carol Ann Davis

On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 331

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure of health care cost information by certain health care facilities; imposing an administrative penalty.

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

SECTION 1. Section 327.001(7), Health and Safety Code, is amended to read as follows:

(7) "Facility" means:

(A) a hospital, including:

(i) a general hospital;

(ii) a special hospital;

(iii) a mental hospital;

(iv) a hospital that operates a crisis stabilization unit;

(v) a limited services rural hospital; or

(vi) a hospital operating under a certificate of public advantage under Chapter 314 or 314A;

(B) an abortion facility;

(C) an ambulatory surgical center;

(D) a birthing center;

(E) a chemical dependency treatment facility;

(F) an end stage renal disease facility;

(G) a freestanding emergency medical care facility;

(H) a narcotic drug treatment program; or

(I) a special care facility [~~licensed under Chapter 241~~].

SECTION 2. Chapter 327, Health and Safety Code, is amended by adding Section 327.0015 to read as follows:

Sec. 327.0015. APPLICABILITY. This chapter applies only to a facility with a total gross revenue of \$10 million or more.

SECTION 3. Sections 327.008(a) and (c), Health and Safety Code, are amended to read as follows:

(a) The commission may impose an administrative penalty on a facility [~~in accordance with Chapter 241~~] if the facility fails to:

(1) respond to the commission's request to submit a corrective action plan; or

(2) comply with the requirements of a corrective action plan submitted to the commission.

(c) For a facility with one of the following total gross revenues [~~as reported to the Centers for Medicare and Medicaid Services or to another entity designated by commission rule in the year preceding the year in which a penalty is imposed~~], the penalty imposed by the commission may not exceed:

(1) [~~\$10 for each day the facility violated this chapter, if the facility's total gross revenue is less than \$10,000,000,~~

[~~(2)~~] \$100 for each violation of [~~day the facility violated~~] this chapter, if the facility's total gross revenue is \$10,000,000 or more and less than \$100,000,000; and

(2) [~~(3)~~] \$1,000 for each day the facility violated

1 this chapter, if the facility's total gross revenue is \$100,000,000
2 or more.

3 SECTION 4. A health care facility required to disclose
4 billing information as a result of the amendment to Chapter 327,
5 Health and Safety Code, by this Act is not required to disclose
6 information in accordance with that chapter until August 31, 2029.

7 SECTION 5. Section 327.008, Health and Safety Code, as
8 amended by this Act, applies only to a violation that occurs on or
9 after the effective date of this Act. A violation that occurs
10 before the effective date of this Act is governed by the law as it
11 existed on the date the violation occurred, and that law is
12 continued in effect for that purpose.

13 SECTION 6. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2025.

Senate Bill 331
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

SECTION 1. Section 327.001(7), Health and Safety Code, is amended.

SECTION 1. Same as Senate version.

SECTION 1. Same as Senate version.

SECTION 2. Chapter 327, Health and Safety Code, is amended by adding Section 327.0015 to read as follows:
Sec. 327.0015. APPLICABILITY. This chapter applies only to a facility with a total gross revenue of **\$7 million** or more.

SECTION 2. Chapter 327, Health and Safety Code, is amended by adding Section 327.0015 to read as follows:
Sec. 327.0015. APPLICABILITY. This chapter applies only to a facility with a total gross revenue of **\$12 million** or more.

SECTION 2. Chapter 327, Health and Safety Code, is amended by adding Section 327.0015 to read as follows:
Sec. 327.0015. APPLICABILITY. This chapter applies only to a facility with a total gross revenue of **\$10 million** or more.

SECTION 3. Section 327.008, Health and Safety Code, is amended. Among other provisions, Subsections (c) and (d) are amended to read as follows:

SECTION 3. Same as Senate version except Subsection (c) reads as follows:

SECTION 3. Same as House version except Subsection (c) reads as follows:

(c) For a facility with one of the following total gross revenues [~~as reported to the Centers for Medicare and Medicaid Services or to another entity designated by commission rule in the year preceding the year in which a penalty is imposed~~], the penalty imposed by the commission may not exceed:

(c) For a facility with one of the following total gross revenues [~~as reported to the Centers for Medicare and Medicaid Services or to another entity designated by commission rule in the year preceding the year in which a penalty is imposed~~], the penalty imposed by the commission may not exceed:

(c) For a facility with one of the following total gross revenues [~~as reported to the Centers for Medicare and Medicaid Services or to another entity designated by commission rule in the year preceding the year in which a penalty is imposed~~], the penalty imposed by the commission may not exceed:

(1) [~~\$10 for each day the facility violated this chapter, if the facility's total gross revenue is less than \$10,000,000;~~

(1) [~~\$10 for each day the facility violated this chapter, if the facility's total gross revenue is less than \$10,000,000;~~

(1) [~~\$10 for each day the facility violated this chapter, if the facility's total gross revenue is less than \$10,000,000;~~

[(2)] \$100 for each *day the facility violated* this chapter, if the facility's total gross revenue is **\$7,000,000** [~~\$10,000,000~~] or more and less than \$100,000,000; and

[(2)] \$100 for each *violation of [day the facility violated]* this chapter, if the facility's total gross revenue is **\$12,000,000** [~~\$10,000,000~~] or more and less than \$100,000,000; and

[(2)] \$100 for each *violation of [day the facility violated]* this chapter, if the facility's total gross revenue is **\$10,000,000** or more and less than \$100,000,000; and

(2) [(3)] \$1,000 for each day the facility violated this chapter, if the facility's total gross revenue is \$100,000,000 or more.

(2) [(3)] \$1,000 for each day the facility violated this chapter, if the facility's total gross revenue is \$100,000,000 or more.

(2) [(3)] \$1,000 for each day the facility violated this chapter, if the facility's total gross revenue is \$100,000,000 or more.

(d) Each day a violation continues is considered a separate violation. A cumulative administrative penalty may not exceed the applicable daily amount provided by Subsection (c).

No equivalent provision.

SECTION __. Section 327.009, Health and Safety Code, is amended to read as follows:

Same as Senate version.

Senate Bill 331
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

Sec. 327.009. LEGISLATIVE RECOMMENDATIONS. The commission may propose to the legislature recommendations for amending or repealing this chapter, including recommendations:
(1) in response to amendments by the Centers for Medicare and Medicaid Services to 45 C.F.R. Part 180; and
(2) on whether to repeal this chapter, if the commission determines any state agency or institution of higher education, as defined by Section 61.003, Education Code, makes the same or substantially similar information described by Sections 327.002, 327.003, and 327.004 available to the public in a manner consistent with this chapter. [FA1,3rd]

SECTION 4. A health care facility required to disclose billing information as a result of the amendment to Chapter 327, Health and Safety Code, by this Act is not required to disclose information in accordance with that chapter until August 31, 2029.

SECTION 4. Same as Senate version.

SECTION 4. Same as Senate version.

SECTION 5. Saving provision.

SECTION 5. Same as Senate version.

SECTION 5. Same as Senate version.

SECTION 6. Effective date.

SECTION 6. Same as Senate version.

SECTION 6. Same as Senate version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 30, 2025

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB331 by Kolkhorst (Relating to the disclosure of health care cost information by certain health care facilities; imposing an administrative penalty.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

This bill amends the Health and Safety Code to expand the type of facilities that are subject to price disclosure requirements. This bill takes effect immediately if it receives a vote of two-thirds of all the members elected to each house. Otherwise, this bill would take effect September 1, 2025.

The Health and Human Services Commission (HHSC) assumes the implementation and ramp up of health care facility price transparency would need to begin in fiscal year 2026 to ensure facilities are in compliance with the provisions of this bill by fiscal year 2029 when compliance enforcement would begin. This analysis assumes HHSC could accomplish the implementation of the ramp up of health care facility price transparency using existing agency resources in fiscal years 2026-2028. This analysis assumes that HHSC would require \$1,477,123 from the General Revenue Fund (\$1,485,948 from All Funds) and 10.5 full-time-equivalents (FTEs) in fiscal year 2029 and \$1,378,642 from the General Revenue Fund (\$1,387,415 from All Funds) and 10.5 FTEs going forward to implement the compliance provisions of this bill.

According to the Comptroller of Public Accounts, the number of violations from the facilities added to this chapter that could be subject to an administrative penalty and the number of violations resulting from the new price disclosure deadline are unknown; therefore, the fiscal impact on the state cannot be estimated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.


Source Agencies: 304 Comptroller of Public Accounts, 529 Health and Human Services Commission

LBB Staff: JMc, SD, NPe, ER, LBI, NV

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order.

I certify that a copy of the conference committee report on SB 331 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before paper copies of the report were submitted to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.


(Signature)

5/30/25
(Date)