

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: HB 2538-H1

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Ware

3. Committee: Commerce and Labor

4. Title: Balance billing; emergency and elective services.

5. Summary: Requires a facility where a covered person receives scheduled elective services to provide notice or inform the covered person at the time of pre-admission or pre-registration that (i) health care services provided by a provider group will be billed separately from the facility, and (ii) that some health care services may not be provided by an in-network provider. The bill also requires such facilities to inform the covered person (i) of the names of all provider groups providing services at the facility, (ii) that consultation with the covered person's managed care plan is recommended to determine if the provider groups are in-network providers, and (iii) that the covered person may be financially responsible for services performed by a provider that is not an in-network provider, in addition to any cost-sharing requirements, defined as a deductible, copayment, or coinsurance rate.

As defined in the bill, "provider group" means a group of multispecialty or single-specialty health care providers who contract with a facility to exclusively provide such services at the facility, "elective services" means health care services rendered that are not emergency services, and "in-network provider" means a health care provider or provider group having a contract with a carrier to provide services to a covered person as a member of the health benefit plan's network.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No state fiscal impact.

8. Fiscal Implications: This bill is not expected to have a state fiscal impact.

The bill requires facilities to provide notification to patients receiving scheduled elective services about provider groups that provide health care services at the facility and to inform patients that they may be financially responsible for services performed by a provider that is not an in-network provider.

The State Corporation Commission does not expect to have a fiscal impact from this bill.

The Department of Human Resource Management does not anticipate the requirements of the bill to have a fiscal impact to the state health insurance plan.

9. Specific Agency or Political Subdivisions Affected: State Corporation Commission and the Department of Human Resource Management.

10. Technical Amendment Necessary: No.

11. Other Comments: None.