

By: White of Tyler

H.B. No. 3551

A BILL TO BE ENTITLED

AN ACT

relating to the authorization of health care providers charging a fee for the production of records associated with applications for certain assistance benefits programs.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0331 to read as follows:

Sec. 531.0331. FEES FOR PRODUCTION OF RECORDS FOR ASSISTANCE BENEFITS APPLICATIONS. (a) This section applies to the following assistance programs:

(1) the financial assistance program under Chapter 31, Human Resources Code;

(2) the medical assistance program under Chapter 32, Human Resources Code;

(3) the Supplemental Security Income (SSI) program under 42 U.S.C. Section 1381 et seq.;

(4) the Social Security Disability Insurance (SSDI) program under 42 U.S.C. Section 401 et seq.;

(5) the federal Medicare program; and

(6) federal benefits or compensation available to veterans through a program administered by the United States Department of Veterans Affairs.

(b) The executive commissioner by rule shall allow, to the extent allowed under federal law and notwithstanding any other law,

1 a health care provider to impose a reasonable fee for labor and  
2 production costs of producing records required to support a  
3 person's application for benefits under an assistance program to  
4 which this section applies.

5 (c) Rules adopted under this section may not allow a health  
6 care provider to impose a fee under this section before the  
7 applicant is determined eligible for benefits under an assistance  
8 program to which this section applies and the applicant begins  
9 receiving benefits under that program. If the applicant is not  
10 eligible for the benefits, the health care provider may not impose a  
11 fee.

12 (d) If the applicant for benefits under an assistance  
13 program to which this section applies has appointed a  
14 representative for the purpose of the application for benefits, the  
15 rules adopted under this section shall allow the health care  
16 provider to impose a fee under this section directly on that  
17 representative.

18 SECTION 2. If before implementing any provision of this Act  
19 a state agency determines that a waiver or authorization from a  
20 federal agency is necessary for implementation of that provision,  
21 the agency affected by the provision shall request the waiver or  
22 authorization and may delay implementing that provision until the  
23 waiver or authorization is granted.

24 SECTION 3. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

H.B. No. 3551

1 Act takes effect September 1, 2015.