

By: Bohac

H.B. No. 725

A BILL TO BE ENTITLED

AN ACT

relating to the exclusion from total revenue of certain payments received by health care providers for purposes of computing the franchise tax.

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

SECTION 1. Section 171.1011(n), Tax Code, is amended to read as follows:

(n) A ~~[Except as provided by Subsection (e), a]~~ taxable entity that is a health care provider shall exclude from its total revenue:

(1) to the extent included under Subsection (c)(1)(A), (c)(2)(A), or (c)(3), the total amount of payments the health care provider received:

(A) under the Medicaid program, Medicare program, Indigent Health Care and Treatment Act (Chapter 61, Health and Safety Code), and Children's Health Insurance Program (CHIP);

(B) for professional services provided in relation to a workers' compensation claim under Title 5, Labor Code; and

(C) for professional services provided to a beneficiary rendered under the TRICARE military health system; and

(2) the actual cost to the health care provider for any uncompensated care provided, but only if the provider maintains records of the uncompensated care for auditing purposes and, if the

1 provider later receives payment for all or part of that care, the
2 provider adjusts the amount excluded for the tax year in which the
3 payment is received.

4 SECTION 2. Section [171.1011\(o\)](#), Tax Code, is repealed.

5 SECTION 3. This Act applies only to a report originally due
6 on or after the effective date of this Act.

7 SECTION 4. This Act takes effect January 1, 2018.