

May 22, 2024

Via Email to: HCR_PRU@hhs.texas.gov.

Rules Coordination Office
Texas Health & Human Services Commission
P.O. Box 13247
Mail Code 4102
Austin, Texas 78711-3247

Re: Comments on Proposed Rule 24R004

To Whom it May Concern:

On behalf of our more than 460 member hospitals, including public, rural, urban, children's, teaching and specialty hospitals, the Texas Hospital Association (THA) appreciates the opportunity to provide feedback to the Texas Health & Human Services Commission's (HHSC) proposed amendments to Title 25, Part 1, Chapter 133 relating to hospital licensing requirements – specifically relating to the amendments to implement Senate Bill (SB) 490 which has new requirements for hospitals to provide itemized bills to patients.

The proposed section related to itemized billing appears in Section 133.46(a) and states:

(1) A hospital shall adopt, implement, and enforce a policy to ensure that the hospital complies with Texas Health and Safety Code (HSC) §311.002.

(2) A hospital shall comply with the itemized bill requirements under HSC §185.002.

THA has no objection to HHSC's proposed amendments to Section 133.46(a) and appreciates HHSC's citation of the relevant portions of the Health & Safety Code, which already provide detailed information on itemized billing requirements. If the statute were to change, HHSC would not be required to enact new rules to carry it out. THA appreciates this flexibility.

If HHSC decides to revise this proposed rule by including new or additional language, THA respectfully requests that HHSC withdraw the proposed rule and re-publish a new proposed rule so that THA and other stakeholders can receive adequate notice and comment. If HHSC elects to include new proposed language, THA requests that HHSC convene a stakeholder meeting that includes THA and other hospital representatives. Hospital coding, billing and collections are extremely complicated, and hospitals employ dedicated professionals in these fields who would be more than happy to be a resource.

May 22, 2024

Thank you for the opportunity to comment on this proposed rulemaking. Should you have any questions or concerns with our comments please do not hesitate to contact me at hdelagarza@tha.org.

Respectfully submitted,

/s/Heather De La Garza-Barone

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