



## TEXAS DEPARTMENT OF STATE HEALTH SERVICES

KIRK COLE  
INTERIM COMMISSIONER

P.O. Box 149347  
Austin, Texas 78714-9347  
1-888-963-7111  
TTY: 1-800-735-2989  
www.dshs.state.tx.us

October 12, 2015

Dear Freestanding Emergency Medical Care (FEMC) Provider:

This letter is being sent to advise you of a new law that was passed during the 84<sup>th</sup> Regular Session of the Texas Legislature. Senate Bill 425 relates to health care information provided by and notice of fees charged by FEMC facilities. This new law became effective on September 1, 2015.

As a result of this law, a FEMC facility is required to post a sign that is at least 8.5" x 11", at the primary place of entrance, in each patient treatment room, at the FEMC payment center, and on its website, notice of the following:

- (1) That the facility is a freestanding emergency medical care facility;
- (2) That the facility charges rates comparable to a hospital emergency room and may charge a facility fee;
- (3) That a facility or a physician providing medical care at the facility may not be a participating provider in the patient's health benefit plan provider network; and
- (4) That a physician providing medical care at the facility may bill separately from the facility for the medical care provided to a patient.

DSHS will begin enforcement of this new law effective January 1, 2016. Failure to comply with this law will result in a deficiency citation and possible adverse disciplinary action.

If you have additional questions regarding Senate Bill 425, please contact Allison Hughes, R.N., at (512) 834-6700.

Sincerely,

A handwritten signature in cursive script that reads "Renee Clack".

Renee Clack, L.N.F.A.  
Director, Health Care Quality Section  
Division for Regulatory Services