



TEXAS
Health and Human
Services

Hospital Price Transparency Webinar

Health and Safety Code Chapter 327

**Health Care Regulation
Regulatory Services Division**

Texas Health and Human Services Commission

Vision

Making a positive difference in the lives of the people we serve.

Mission

We serve Texas.



TEXAS
Health and Human
Services

Senate Bill (SB) 1137 Background

SB 1137:

- Was passed during the 87th Legislature.
- Took effect on Sept. 1, 2021.
- Relates to the required disclosure of prices for certain items and services provided by certain medical facilities and provides administrative penalties.



TEXAS
Health and Human
Services

Health and Safety Code Chapter 327 Summary

SB 1137 added HSC Chapter 327, which requires hospitals licensed under HSC Chapter 241 to prominently display a list or dedicated link to a list of all standard charges for hospital items and services on the home page of the hospital's website.

Guidance Letter 21-2008-A, published on May 13, 2022, provides guidance on HSC Chapter 327.



TEXAS
Health and Human
Services

Provider Responsibilities

HSC Chapter 327 requires general and state hospitals to maintain the following:

- A list of standard charges with all facility items or services for which the facility has established a charge.
- A publicly available, consumer-friendly list of standard charges of at least 300 shoppable services.
 - **Note:** An internet-based price estimator tool may be used to meet this requirement per HSC Section 327.004.



TEXAS
Health and Human
Services

Provider Responsibilities, Continued

Accessibility Requirements

General and special hospitals must ensure the list of standard charges and shoppable services list meets certain accessibility requirements.

Reporting Requirements

General and special hospitals must submit the required list to HHSC annually and upon revision.



TEXAS
Health and Human
Services

The List of Standard Charges Requirements

The hospital must ensure the list of standard charges:

- Is always available to the public.
- Contains all facility items or service charges applicable to that hospital's location.
 - **Note:** If the hospital has multiple locations and maintains a single website for all their locations, the hospital must post the list of standard charges for each hospital location.
- Contains a description of each item or service provided by the facility.



TEXAS
Health and Human
Services

The List of Standard Charges Requirements, Continued

The hospital must also ensure the list of standard charges contains the following applicable charges for each individual item or service provided in an inpatient or outpatient setting:

- Gross charge.
- De-identified minimum negotiated charge.
- De-identified maximum negotiated charge.
- Discounted cash price.
- Payor-specific negotiated charge.



TEXAS
Health and Human
Services

The List of Standard Charges Requirements, Continued

The hospital can use any code used by the facility for purposes of accounting or billing for the facility item or service including:

- The Current Procedural Terminology (CPT) code.
- The Healthcare Common Procedure Coding System (HCPCS) code.
- The Diagnosis Related Group (DRG) code.
- The National Drug Code (NDC).
- Other common identifiers.



TEXAS
Health and Human
Services

The List of Standard Charges Online and Accessibility Requirements

The list of standard charges must be:

- Published in a single digital file that is in a machine-readable format.
- Displayed in a prominent location on the home page of the hospital's publicly accessible website or made available through a dedicated link that is also prominently displayed.



TEXAS
Health and Human
Services

The List of Standard Charges Online and Accessibility Requirements, Continued

The list of standard charges must also be available:

- Free of charge.
- Without having to establish a user account or password.
- Without having to submit personal identifying information.
- Without having to overcome any other barrier, including entering a code to access the list.



TEXAS
Health and Human
Services

The List of Standard Charges Online and Accessibility Requirements

Each list of standard charges must be:

- Accessible to a common internet search engine.
- Formatted in a manner prescribed by HHSC.
- Digitally searchable.
- Labeled with the following naming convention specified by CMS:
<ein>_<facility_name>_standardcharges.[json|xml|csv]



TEXAS
Health and Human
Services

Shoppable Services Consumer-Friendly List Requirements

The hospital must ensure the shoppable services list:

- Is always available to the public.
- Contains at least 300 shoppable services provided by the hospital.
 - **Note:** Must include the 70 shoppable services prescribed by the Centers for Medicare and Medicaid Services (CMS) when applicable.
- Includes a plain-language description of each shoppable service.



TEXAS
Health and Human
Services

Shoppable Services Consumer-Friendly List Requirements, Continued

The hospital must ensure the shoppable services list contains the following for each shoppable and any ancillary service:

- De-identified minimum negotiated charge.
- De-identified maximum negotiated charge.
- Discounted cash price.
- Payor-specific negotiated charge.



TEXAS
Health and Human
Services

Shoppable Services Consumer-Friendly List Requirements

The hospital can use any code used by the facility for purposes of accounting or billing for each shoppable service included on the list and any ancillary service including:

- The Current Procedural Terminology (CPT) code.
- The Healthcare Common Procedure Coding System (HCPCS) code.
- The Diagnosis Related Group (DRG) code.
- The National Drug Code (NDC).
- Other common identifiers.



Shoppable Services Consumer-Friendly List Online and Accessibility Requirements

The shoppable services list must be:

- Displayed in a prominent location on the home page of the hospital's publicly accessible website or made available through a dedicated link that is also prominently displayed.
- Free of charge.
- Available without having to establish a user account or password.
- Available without having to submit personal identifying information.



TEXAS
Health and Human
Services

Shoppable Services Consumer-Friendly List Online and Accessibility Requirements, Continued

The shoppable services list must also be:

- Available without having to overcome any other barrier, including entering a code to access the list.
- Accessible to a common internet search engine.
- Formatted in a manner prescribed by HHSC.
- Searchable by service description, billing code and payor.



TEXAS
Health and Human
Services

Shoppable Services Consumer-Friendly List Online and Accessibility Requirements, Continued

If applicable, the shoppable services list must state:

- Each location where the hospital provides the shoppable service.
- Whether the charges at that hospital are in an inpatient or outpatient setting.
- If one or more shoppable services specified by CMS is not provided by the hospital.



TEXAS
Health and Human
Services

Internet-Based Price Estimator Tool Requirements

The price estimator tool must:

- Provide a cost estimate for each shoppable service and any ancillary service included on the list.
- Allow a person to obtain an estimate of the amount they will be obligated to pay the facility if they elect to use the facility to provide the service.



TEXAS
Health and Human
Services

Internet-Based Price Estimator Online and Accessibility Requirements

The internet-based price estimator tool must be:

- Prominently displayed on the facility's publicly accessible Internet website.
- Accessible to the public:
 - Without charge
 - Without having to register or establish a user account or password



TEXAS
Health and Human
Services

Reporting Requirements

Hospitals must update and report the list of standard charges and shoppable services lists to HHSC:

- At least annually.
- Every time updates or revisions are made.



TEXAS
Health and Human
Services

Reporting Method

Hospitals must email the required lists to the Hospital Price Transparency mailbox at:

Hospital_Price_Transparency@hhs.texas.gov

The email must include the following contact information:

- Legal entity name, DBA and facility name.
- Address, city, state and ZIP code.
- Name, email and phone number for the hospital contact responsible for compliance.



TEXAS
Health and Human
Services

Reporting Method, Continued

The email sent to the Hospital Price Transparency mailbox must also include the following information:

- Each hospital location's license number.
- CMS Certification Number (CCN).
- Number of shoppable services included in the list, including and identifying the 70 services prescribed by CMS.
- Links for each facility location, including:
 - Chargemaster
 - Price estimator
 - Homepage
 - License number



TEXAS
Health and Human
Services

Resources

View SB 1137 (87th Legislature, Regular Session, 2021) at:

<https://capitol.texas.gov/tlodocs/87R/billtext/html/SB01137F.htm>

View Texas Health and Safety Code Chapter 327 at:

<https://statutes.capitol.texas.gov/docs/HS/htm/HS.327.htm>

View Code of Federal Regulations Title 45, Subtitle A, Subchapter E, Part 180 at:

<https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-E/part-180>



TEXAS
Health and Human
Services

Resources

View the Hospital Price Transparency (SB 1137) Required Information document at:
<https://www.hhs.texas.gov/sites/default/files/documents/hospital-price-transparency-sb1137.pdf>

View Guidance Letter GL 21-2008-A at:
<https://www.hhs.texas.gov/sites/default/files/documents/gl-21-2008.pdf>

View Senate Bill 1137 Hospital Price Transparency Frequently Asked Questions (FAQ) at:
<https://www.hhs.texas.gov/sites/default/files/documents/sb-1137-hospital-price-transparency-faq.pdf>



TEXAS
Health and Human
Services

Future Updates



TEXAS
Health and Human
Services

To receive the latest news and updates from HHSC, sign up for GovDelivery and subscribe to your facility type using the following link:

<https://service.govdelivery.com/accounts/TXHHSC/subscriber/new>



TEXAS
Health and Human
Services

Thank You

For questions about this presentation, email:
Hospital_Price_Transparency@hhs.texas.gov