



**SENATOR CHARLES SCHWERTNER, MD**  
SENATE DISTRICT 5

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## **Schwertner Files Freestanding ER Bill to Protect Texas Patients**

*SB 425 would increase transparency in the Texas healthcare system and prevent patients from being misled about the true cost of their healthcare.*

**AUSTIN** -- Yesterday, Senator Charles Schwertner (R-Georgetown) filed SB 425, legislation aimed at bringing increased transparency to the Texas healthcare system and protecting the rights of Texas consumers. The bill seeks to address widespread consumer confusion regarding the difference between freestanding emergency rooms and less expensive urgent care clinics.

"As I speak to folks in my district, I regularly hear stories of confusion regarding the difference between urgent care clinics and these freestanding emergency rooms, which are generally far more expensive," said Schwertner. "That confusion quickly turns to anger and frustration when the patient is later sent an exorbitant bill they were not expecting."

Despite their substantially identical appearance, urgent care clinics and freestanding ERs are permitted to bill much differently for substantially similar medical services, with freestanding ERs generally charging more based on the more comprehensive nature of their facilities. To address this confusion, SB 425 would require all freestanding emergency rooms to display clear and accurate information about their charges and fees, and disclose to consumers that any charges incurred are generally comparable to those of a traditional hospital emergency room.

"The real problem is, if you were to line up five freestanding emergency room clinics next to five urgent care clinics, the vast majority of Texans wouldn't be able to tell the difference," continued Schwertner. "That is, until their bill comes in the mail."

Specifically, SB 425 requires freestanding emergency rooms to: (1) post a sign clarifying that the facility is a freestanding ER and not an urgent care center; (2) state whether or not the facility participates in a health insurance network; (3) identify the network and each physician providing medical care at the facility who is excluded from said provider network; and (4) indicate that out of network providers may issue a bill independently of the facility, providing the minimum and maximum amounts the provider is entitled to charge. Freestanding ERs would also be required to notify enrollees covered by a health benefit plan if their facility is not included in the patient's health plan and if the patient's facility fee exceeds \$1,000.

In November 2014, Dr. Charles Schwertner was overwhelmingly reelected to serve the citizens of Senate District 5, a ten-county region of central and east Texas. Following the 83rd Legislative Session, Senator Schwertner was named a “Courageous Conservative” by the Texas Conservative Coalition, a “Lone Star Conservative Leader” by the Texas Conservative Roundtable, and “Senate Freshman of the Year” by Texas Monthly magazine.

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