

1 1. The total cost shall include all services performed by the
2 medical service or care entity and its staff, as well as any
3 authorized services provided by a contractor, affiliate or any other
4 third party who provided services in the facility, and the total
5 cost to be billed shall include out-of-network providers.

6 2. The total cost of service shall be presented to the
7 individual liable for the medical debt separately from all other
8 forms, information and paperwork. It shall be written in a readable
9 font, plain language and shall be prominently and conspicuously
10 displayed on the first page of the document in which it is
11 contained.

12 B. 1. In cases in which the patient must receive emergency
13 care deemed necessary by the health care provider and the individual
14 liable for the medical debt is not able to receive a good faith
15 estimate of healthcare services before vital emergency medical
16 services are rendered, no medical service or health care entity
17 shall charge the individual liable for the medical debt who is not a
18 member of a health benefit plan offered by a health carrier, more
19 than one hundred sixty-five percent (165%) of the Medicare rate.

20 2. In cases in which the patient must receive emergency care as
21 deemed necessary by the health care provider and the individual who
22 is liable for the medical debt is an enrollee of a health benefit
23 plan offered by a health carrier, the medical service provider or
24 health care entity providers shall not charge more than the

1 enrollee's health benefit plan's in-network rate for the emergency
2 services rendered.

3 C. Failure to comply with the provisions of this act shall be
4 grounds for dismissal of any collection suit or garnishment
5 proceeding and may be asserted as an affirmative defense to any such
6 action.

7 D. For purposes of this section, "medical service or care
8 entity" shall include, but not be limited to, a medical care
9 corporation, health care corporation, hospital service association,
10 medical service corporation, health care maintenance organization,
11 not-for-profit hospital, insurer, insurance company or any other
12 third-party payer of medical expenses.

13 SECTION 2. This act shall become effective November 1, 2021.

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15 COMMITTEE REPORT BY: COMMITTEE ON STATES RIGHTS, dated 04/07/2021 -
16 DO PASS.

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