

116TH CONGRESS
1ST SESSION

S. 1688

To amend the Public Health Service Act to provide for the full disclosure of billing and service information to patients.

IN THE SENATE OF THE UNITED STATES

MAY 23 (legislative day, MAY 22), 2019

Mr. ENZI (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to provide for the full disclosure of billing and service information to patients.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PATIENT DISCLOSURES.**

4 Part P of title III of the Public Health Service Act
5 (42 U.S.C. 280g et seq.) is amended by adding at the end
6 the following:

7 **“SEC. 399V-7. PATIENT DISCLOSURES.**

8 “(a) IN GENERAL.—The Secretary shall require—

1 “(1) health care facilities and practitioners to
 2 provide to patients a list of services rendered during
 3 the visit to such facility or practitioner upon dis-
 4 charge; and

5 “(2) health care facilities and practitioners to
 6 send all bills to the patient within 30 business days.

7 “(b) PAYMENT AFTER BILLING.—No patient may be
 8 required to pay a bill for health care services any earlier
 9 than 30 business days after receipt of a bill for such serv-
 10 ices.

11 “(c) EFFECT OF VIOLATION.—

12 “(1) NOTIFICATION AND REFUND REQUIRE-
 13 MENTS.—If a facility or practitioner bills a patient
 14 after the 30-business-day period described in sub-
 15 section (a)(2), such facility or practitioner shall—

16 “(A) report such bill to the Secretary; and

17 “(B) refund the patient for the full
 18 amount paid in response to such bill with inter-
 19 est, at a rate determined by the Secretary.

20 “(2) CIVIL MONETARY PENALTIES.—

21 “(A) IN GENERAL.—The Secretary may
 22 impose civil monetary penalties of up to
 23 \$10,000 a day on any facility or practitioner
 24 that submits more than 10 bills outside of the
 25 period described in subsection (a)(2), beginning

1 on the date on which such facility or practi-
2 tioner sends the tenth such bill.

3 “(B) PROCEDURE.—The provisions of sec-
4 tion 1128A of the Social Security Act, other
5 than subsections (a) and (b) and the first sen-
6 tence of subsection (c)(1) of such section, shall
7 apply to civil money penalties under this sub-
8 section in the same manner as such provisions
9 apply to a penalty or proceeding under section
10 1128A of the Social Security Act.”.

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