

AN ACT

1
2 relating to the billing of anatomic pathology services; providing
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subtitle B, Title 3, Occupations Code, is
6 amended by adding Chapter 166 to read as follows:

7 CHAPTER 166. BILLING OF ANATOMIC PATHOLOGY SERVICES

8 Sec. 166.001. DEFINITION. In this chapter, "anatomic
9 pathology services" means:

10 (1) histopathology or surgical pathology, which is the
11 gross and microscopic examination and histologic processing of
12 organ tissue performed by a physician or under the supervision of a
13 physician;

14 (2) cytopathology, which is the microscopic
15 examination of cells from the following:

16 (A) fluids;

17 (B) aspirates;

18 (C) washings;

19 (D) brushings; or

20 (E) smears, including a Pap smear, performed by a
21 physician or under the supervision of a physician;

22 (3) hematology, which is the microscopic evaluation of
23 bone marrow aspirates and biopsies performed by a physician, or
24 under the supervision of a physician, and peripheral blood smears

1 when the attending or treating physician or technologist requests
2 that a blood smear be reviewed by a pathologist;

3 (4) sub-cellular pathology and molecular pathology;
4 or

5 (5) a blood-banking service performed by a
6 pathologist.

7 Sec. 166.002. ANATOMIC PATHOLOGY BILLING. Notwithstanding
8 any other law, a person, including a physician and an entity,
9 violates this subtitle and is subject to disciplinary action and
10 penalties under this subtitle if the person:

11 (1) does not directly supervise or perform anatomic
12 pathology services for a patient; and

13 (2) fails to disclose in the bill presented by the
14 person to the patient or the insurer or other third party payor, or
15 in an itemized statement to the patient:

16 (A) the name and address of the physician or
17 laboratory that provided the anatomic pathology services; and

18 (B) the net amount paid or to be paid for each
19 anatomic pathology service provided to the patient by the physician
20 or laboratory.

21 SECTION 2. Chapter 166, Occupations Code, as added by this
22 Act, applies only to anatomic pathology services performed on or
23 after the effective date of this Act.

24 SECTION 3. The Texas Medical Board may adopt rules
25 necessary to implement Chapter 166, Occupations Code, as added by
26 this Act.

27 SECTION 4. This Act takes effect September 1, 2007.

S.B. No. 1832

David Newkumst
President of the Senate

Tom Caddell
Speaker of the House

I hereby certify that S.B. No. 1832 passed the Senate on April 25, 2007, by the following vote: Yeas 29, Nays 0.

Latsay Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1832 passed the House on May 4, 2007, by the following vote: Yeas 141, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

18 MAY 07
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5:00 PM O'CLOCK

MAY 18 2007

Roger Hummel