

Introduced by Senator StoneFebruary 18, 2016

An act to add Section 2320 to the Business and Professions Code, and to add Section 1289.6 to the Health and Safety Code, relating to health care costs.

LEGISLATIVE COUNSEL'S DIGEST

SB 1252, as introduced, Stone. Health care costs: patient notification.

Existing law provides for the licensure and regulation by the State Department of Public Health of health facilities, including general acute care hospitals and surgical clinics. The Medical Board of California licenses and regulates physicians and surgeons, and the Osteopathic Medical Board of California licenses and regulates osteopathic physicians and surgeons.

This bill would require, when a medical procedure is scheduled to be performed on a patient, the general acute care hospital, surgical clinic, and the attending physician, as applicable, to notify the patient, in writing, of the net costs to the patient for the medical procedure being done, as provided. For complex medical procedures or screenings involving multiple physicians, the general acute care hospital, surgical clinic, and attending physician, as applicable, would be required to disclose, in writing, if any of the physicians providing medical services to the patient are not contracted with the patient's health care service plan or health insurer and the costs for which the patient would be responsible as a result. The bill would provide that a violation of these provisions by a physician and surgeon or osteopathic physician and surgeon would constitute unprofessional conduct, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2320 is added to the Business and
2 Professions Code, to read:

3 2320. (a) A violation of Section 1289.6 of the Health and
4 Safety Code constitutes unprofessional conduct.

5 (b) Section 2314 does not apply to a violation under this section.

6 SEC. 2. Section 1289.6 is added to the Health and Safety Code,
7 to read:

8 1289.6. (a) When a medical procedure is scheduled to be
9 performed on a patient, the general acute care hospital, surgical
10 clinic, and the attending physician, as applicable, shall notify the
11 patient, in writing, of all of the following:

12 (1) The net costs to the patient for the medical procedure being
13 done, including, but not limited to, all of the following:

14 (A) Applicable copayment, coinsurance, or deductible.

15 (B) The full cost of the medical procedure.

16 (C) The range of costs for a stay in a general acute care hospital
17 or surgical clinic.

18 (2) A complete and precise breakdown of the costs the patient's
19 health care service plan or health insurer will pay and the costs for
20 which the patient will be responsible.

21 (b) For complex medical procedures or screenings involving
22 multiple physicians, the general acute care hospital, surgical clinic,
23 and attending physician, as applicable, shall disclose, in writing,
24 if any of the physicians providing medical services to the patient
25 are not contracted with the patient's health care service plan or
26 health insurer and the costs for which the patient will be responsible
27 as a result.

28 (c) A violations of this section shall be exempt from the
29 provisions of Section 1290.

30 (d) A violation of this section by an attending physician shall
31 be punishable pursuant to Section 2320 of the Business and
32 Professions Code.

33 (e) For purposes of this section, the following terms have the
34 following meanings:

35 (1) "Attending physician" means a physician and surgeon or an
36 osteopathic physician and surgeon, licensed by the Medical Board
37 of California or the Osteopathic Medical Board of California
38 pursuant to Chapter 5 (commencing with Section 2000) of Division

- 1 2 of the Business and Professions Code), who scheduled the
- 2 medical procedure.
- 3 (2) “General acute care hospital” has the same definition as
- 4 Section 1250.
- 5 (3) “Surgical clinic” has the same definition as subdivision (b)
- 6 of Section 1204.

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