

## AN ACT

1 Requiring provider-based clinics to disclose facility fees; and  
2 conferring powers on the Department of Health.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Facility Fees  
7 Disclosure Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Facility fee." Any separate charge or billing by a provider  
13 based clinic in addition to a professional fee for physicians'  
14 services that is intended to cover building, electronic medical  
15 records systems, billing and other administrative and  
16 operational expenses.

17 "Provider-based clinic." The site of an off-campus clinic or

1 health care practitioner office located at least 250 yards from  
2 the main hospital buildings or, as determined by the centers for  
3 Medicare and Medicaid services, that is owned by a hospital  
4 licensed under the act of July 19, 1979 (P.L.130, No.48), known  
5 as the Health Care Facilities Act, or by any person that  
6 operates one or more hospitals licensed under the Health Care  
7 Facilities Act, and is primarily engaged in providing diagnostic  
8 and therapeutic care including medical history, physical  
9 examinations, assessment of health status and treatment  
10 monitoring.

11 Section 3. Disclosure of facility fees.

12 (a) General rule.--A provider-based clinic must prominently  
13 display, in locations easily accessible to and visible by  
14 patients, including its website, a statement detailing whether  
15 or not the provider-based clinic charges a facility fee which  
16 may result in a higher out-of-pocket expense for the patient.

17 (b) Statement.--Prior to the delivery of nonemergency  
18 services, a provider-based clinic that charges a facility fee  
19 shall provide to a patient a written statement containing the  
20 listed facility fee charges and a list of any other  
21 provider-based clinic operated by the same provider that does  
22 not charge a facility fee.

23 (c) Nonapplicability.--This section shall not apply to  
24 laboratory services, imaging services or other ancillary health  
25 services not provided by staff employed by a health care  
26 facility.

27 Section 4. Implementation.

28 The Department of Health is authorized to promulgate  
29 regulations to implement this act.

30 Section 5. Effective date.

1 This act shall take effect in 90 days.

