

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.

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## 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

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## 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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