



Physicians Caring for Texans

July 14, 2008

Bruce M. Burns, D.C.
Center for Health Statistics
Department of State Health Services
Mail Code – 1898
P.O. Box 149347
Austin, Texas 78714-9347

FAX: (512) 458-7740

Re: Written Comment in Response to Proposed Rules 25 TAC 421.61 – 421.68

Dear Mr. Burns:

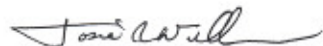
The undersigned organizations are submitting this written response to proposed rules 25 TAC 421.61 – 421.68. The authorizing language for these proposed rules is stated to be SB 1731. We are familiar with the statutory language in SB 1731 and strongly believe that the proposed rules go far beyond the legislative intent as expressed in that bill. In its preamble at 4599, the Department states it has used regulations originally intended for and adopted by the Texas Health Care Information Council. We strongly urge the Department to focus upon the language of the bill at issue. The primary intent of Sen. Duncan's bill was to introduce transparency in pricing and charge information. This information aids consumers (our patients) to decide if, when, and where to have a health care service performed based on their out of pocket hospital and health plan cost.

The undersigned organizations specifically object to the inclusion of "referring physician" information as that phrase is not included or defined anywhere in the statutory language of SB 1731. Again, SB 1731 focuses upon assisting patients in making health care decisions by providing them with charges and pricing information. Collecting "referring physician" information does not achieve that goal. In Section 3 of the bill, "physician" is not mentioned. More importantly, information about "referring physician" **has no bearing** on what the facility will report to the Department as a charge for a service or procedure. Where the legislature intended to gather information about physicians, it actually mentioned "physicians."

Based upon the foregoing, the undersigned organizations respectfully request that all references to "referring physicians" be eliminated from the proposed rules."

Should you have any questions regarding our concerns, please feel free to contact our organizations directly.

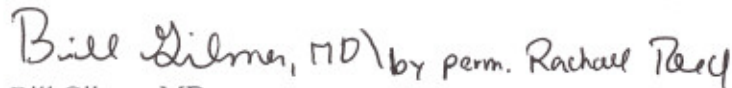
Sincerely,



Josie R. Williams, MD
President, Texas Medical Association



Rick Snyder, MD
President, Texas Chapter of ACC



Bill Gilmer, MD
President, Texas Neurological Society

cc: Albert Hawkins
David Lakey, MD