

Texas Medical Board Press Release

FOR IMMEDIATE RELEASE

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TMB Guidance Statement on TDI Rules Related to Senate Bill 1264

Today the Texas Department of Insurance (TDI) adopted [emergency rules](#) related to “surprise billing.” This Guidance Statement is to provide clear information to Texas patients and professionals under the Texas Medical Board’s (TMB’s) regulatory authority concerning Senate Bill (SB) 1264.

Physicians and practitioners, under the authority and oversight of TMB, who seek to exercise the exceptions to the prohibitions against balance billing must comply with all provisions of SB 1264, including as interpreted by TDI rules.

TMB has existing authority under both the Medical Practice Act and Board rules to investigate complaints, including balance billing violations [[Sec 164.051\(a\)\(1\)](#), [164.053\(a\)\(1\)](#) and [164.052\(a\)\(5\)](#).] TMB will follow its standard processes regarding Complaints ([Board Rule 178](#)) and Investigations ([Board Rule 179](#)) for any complaint filed concerning a balance billing violation.

Specifically, under the Medical Practice Act, violations of SB 1264 and TDI rules include, but are not limited to, violation of state law connected to the practice of medicine and unprofessional conduct.

TMB is a complaint-driven entity and if someone believes a balance billing-related violation occurred they may [file a complaint](#) with the agency. Additionally, TMB and TDI will continue collaborating to ensure that any complaints filed with TDI regarding TMB licensees will be referred to TMB and investigated. All complaints against TMB licensees filed for violating the new balance billing law, regardless of the source of the complaint, will be thoroughly investigated by TMB.

TMB will work on development of rules consistent with TDI’s rules. The Board looks forward to continuing its practice of involving the public and stakeholders on this important issue as the rulemaking process goes forward.

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