

By: Leach

H.B. No. 2064

Substitute the following for H.B. No. 2064:

By: Johnson of Dallas

C.S.H.B. No. 2064

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the amount of a hospital or physician lien on certain  
3 causes of action or claims.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 55.004(b), Property Code, is amended to  
6 read as follows:

7 (b) A hospital lien described by Section 55.002(a) is for  
8 the lesser of:

9 (1) the amount of the hospital's charges for services  
10 provided to the injured individual during the first 100 days of the  
11 injured individual's hospitalization less the pro rata share of  
12 attorney's fees and expenses the injured individual incurred in  
13 pursuing the claim; [~~or~~]

14 (2) 50 percent of all amounts recovered by the injured  
15 individual through a cause of action, judgment, or settlement  
16 described by Section 55.003(a) less the pro rata share of  
17 attorney's fees and expenses the injured individual incurred in  
18 pursuing the claim; or

19 (3) the amount awarded by the trier of fact for the  
20 services provided to the injured individual by the hospital less  
21 the pro rata share of attorney's fees and expenses the injured  
22 individual incurred in pursuing the claim.

23 SECTION 2. The change in law made by this Act applies only  
24 to a lien for services provided to an injured individual on or after

1 the effective date of this Act. A lien for services provided before  
2 the effective date of this Act is governed by the law in effect  
3 immediately before the effective date of this Act, and that law is  
4 continued in effect for that purpose.

5 SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2021.