

By: Moody

H.B. No. 3063

A BILL TO BE ENTITLED

AN ACT

relating to the medical authorization accompanying written notice of a health care liability claim.

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

SECTION 1. Section 74.051(c), Civil Practice and Remedies Code, is amended to read as follows:

(c) Notwithstanding the inadequacy of a medical authorization provided under Section 74.052, notice ~~[Notice]~~ given as provided in this chapter shall toll the applicable statute of limitations to and including a period of 75 days following the giving of the notice, and this tolling shall apply to all parties and potential parties.

SECTION 2. Section 74.052(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) Notice of a health care claim under Section 74.051 must be accompanied by a signed and completed medical authorization in the form specified by this section. Failure to provide this authorization along with the notice of health care claim shall abate all further proceedings against the physician or health care provider receiving the notice until 60 days following receipt by the physician or health care provider of the required authorization.

SECTION 3. The changes in law made by this Act apply only to a written notice provided on or after the effective on or after the

1 effective date of this Act. A written notice provided before the
2 effective date of this Act is governed by the law in effect on the
3 date the written notice is provided, and the former law is continued
4 in effect for that purpose.

5 SECTION 4. This Act takes effect September 1, 2023.