

By: Leach, Hull, Shofner

H.B. No. 5076

Substitute the following for H.B. No. 5076:

By: Schofield

C.S.H.B. No. 5076

A BILL TO BE ENTITLED

AN ACT

relating to vicarious liability of certain health organizations for medical care provided by a physician the organization employs.

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

SECTION 1. The heading to Section 162.0022, Occupations Code, is amended to read as follows:

Sec. 162.0022. POLICIES OF CERTAIN HEALTH ORGANIZATIONS ~~[ORGANIZATION POLICIES]~~; VICARIOUS LIABILITY.

SECTION 2. Section 162.0022, Occupations Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A health organization that complies with the requirements of Subsection (a) may not be held vicariously liable for medical care provided for the organization by a physician the organization employs if the health organization does not interfere with, control, or otherwise direct the physician's independent medical judgment when the physician provides medical care to patients.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.