

By: Leach

H.B. No. 5076

A BILL TO BE ENTITLED

AN ACT

relating to vicarious liability for certain medical care.

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

SECTION 1. Section 162.0022(a), Occupations Code, is amended to read as follows:

(a) A health organization certified under Section 162.001(b) shall adopt, maintain, and enforce policies to ensure that a physician employed by the health organization exercises independent medical judgment when providing care to patients. A health organization that complies with this subsection is not vicariously liable for medical care provided by an employed physician if the health organization does not interfere with, control, or otherwise direct the independent medical judgment of the physician when providing medical care to patients.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all 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.