

By: Harper-Brown

H.B. No. 72

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the liability of certain nonprofit hospital management
3 contractors.

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

5 SECTION 1. Sections 261.051 and 261.052, Health and Safety
6 Code, as added by Chapter 204, Acts of the 78th Legislature, Regular
7 Session, 2003, are amended to read as follows:

8 Sec. 261.051. DEFINITION. In this subchapter, "municipal
9 hospital management contractor" means a nonprofit corporation,
10 partnership, or sole proprietorship that manages or operates a
11 hospital or provides services under a contract with a municipality
12 or a municipal hospital authority.

13 Sec. 261.052. LIABILITY OF A MUNICIPAL HOSPITAL MANAGEMENT
14 CONTRACTOR. A municipal hospital management contractor in its
15 management or operation of a hospital under a contract with a
16 municipality or a municipal hospital authority is considered a
17 governmental unit for purposes of Chapters 101, 102, and 108, Civil
18 Practice and Remedies Code, and any employee of the contractor is,
19 while performing services under the contract for the benefit of the
20 hospital, an employee of the municipality for the purposes of
21 Chapters 101, 102, and 108, Civil Practice and Remedies Code.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect on the 91st day after the last day of the
3 legislative session.