

BILL ANALYSIS

Senate Research Center
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S.B. 561
By: Shapleigh
State Affairs
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DIGEST AND PURPOSE

Under current law, the state does not indemnify physicians who provide health care services for low-income families covered by Medicaid or the Children's Health Insurance Program (CHIP). As proposed, in an attempt to lower malpractice insurance rates for physicians who provide services to low-income families, S.B. 561 adds medical malpractice claims by Medicaid and CHIP patients to the list of incidents for which the state will provide certain indemnification.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 104.001, Civil Practice and Remedies Code, to add a physician licensed in this state who is providing health care service to a patient as part of a certain medical assistance program or a certain state child health plan to the list of persons who the state shall indemnify in a cause of action based on conduct described in Section 104.002. Creates Subdivision (8) from existing text.

SECTION 2. Amends the heading of Chapter 104, Civil Practice and Remedies Code, to read as follows:

CHAPTER 104. STATE LIABILITY FOR CONDUCT OF CERTAIN PERSONS

SECTION 3. Effective date: September 1, 2003.
Makes application of this Act prospective.