

By: Smith of Tarrant

H.B. No. 224

A BILL TO BE ENTITLED

AN ACT

relating to deposition fees charged by certain physicians.

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

SECTION 1. Chapter 20, Civil Practice and Remedies Code, is amended by adding Section 20.003 to read as follows:

Sec. 20.003. DEPOSITION FEES CHARGEABLE BY TREATING PHYSICIAN. (a) A physician who is or previously has been the treating physician for a party in a civil action may not charge a fee for each hour of that physician's deposition testimony related to the party's condition or treatment that exceeds 125 percent of the physician's usual hourly fee for a patient office visit.

(b) Subsection (a) does not apply to a physician providing expert testimony not relating to the condition or treatment of a current or former patient of the physician.

SECTION 2. This Act takes effect September 1, 2003, and the change in law made by Section 20.003, Civil Practice and Remedies Code, as added by this Act, applies only to the deposition of a treating physician in a civil action filed on or after September 1, 2003. The deposition of a treating physician in a civil action filed before September 1, 2003, is governed by the law in effect on the date the action is filed and that law is continued in effect for that purpose.