

By: Dunnam

H.B. No. 1184

A BILL TO BE ENTITLED

AN ACT

relating to expert reports filed in health care liability claims.

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

SECTION 1. Section 13.01(1), Medical Liability and Insurance Improvement Act of Texas (Article 4590i, Vernon's Texas Civil Statutes), is amended to read as follows:

(1) A ~~[court shall grant a]~~ motion challenging the adequacy of an expert report must be filed not later than the 90th day after the date the report is filed. The court shall grant the motion only if it appears to the court, after hearing, that the report does not represent a good faith effort to comply with the definition of an expert report in Subsection (r)(6) of this section.

SECTION 2. This Act takes effect September 1, 2003, and applies only to a cause of action filed on or after that date. An action that was filed before the effective date of this Act is governed by the law applicable to the action immediately before the effective date of this Act, and that law is continued in effect for that purpose.