

By: Smithee

H.B. No. 2260

A BILL TO BE ENTITLED

AN ACT

relating to the reporting of certain health care liability claims
to the Texas State Board of Medical Examiners.

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

SECTION 1. Section 160.053, Occupations Code, is amended by
amending Subsection (a) and adding Subsection (c) to read as
follows:

(a) Not later than the 30th day after the earliest date on
which an event described by Subsection (c) occurs, an insurer that
receives a notice of claim letter or complaint from an insured [~~the insurer~~]
shall furnish to the board:

(1) the name of the insured and the insured's Texas
medical license number;

(2) the policy number; and

(3) a copy of the notice of claim letter or complaint.

(c) An insurer is not required to furnish the board with
information under Subsection (a) unless:

(1) the insured enters into a settlement agreement
regarding the health care liability claim that is the subject of the
notice of claim letter or complaint; or

(2) the claimant in the health care liability claim
has submitted an expert report in relation to the claim that
complies with Section 13.01, Medical Liability and Insurance
Improvement Act of Texas (Article 4590i, Vernon's Texas Civil

1 Statutes).

2 SECTION 2. The change in law made by this Act applies only
3 to the receipt by an insurer of a notice of claim letter or
4 complaint on or after the effective date of this Act. The receipt
5 by an insurer of a notice of claim letter or complaint before the
6 effective date of this Act is governed by the law in effect
7 immediately before that date, and that law is continued in effect
8 for that purpose.

9 SECTION 3. This Act takes effect September 1, 2003.