

By: Alonzo

H.B. No. 2869

A BILL TO BE ENTITLED

AN ACT

1
2 relating to regulation of insurers writing professional liability
3 insurance for physicians and health care providers.

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

5 SECTION 1. Article 5.15-1, Insurance Code, is amended by
6 adding Section 11 to read as follows:

7 Sec. 11. APPLICABILITY OF INSURANCE LAWS. Notwithstanding
8 any other law, an insurer that writes professional liability
9 insurance for physicians or other health care providers, including
10 the joint underwriting association established under Article
11 21.49-3 of this code, a medical liability self-insurance trust
12 authorized under Article 21.49-4 of this code, a Lloyd's plan
13 operating under Chapter 941 of this code, and an exchange operating
14 under Chapter 942 of this code, is subject to the insurance laws of
15 this state applicable to an insurer writing that type of coverage.

16 SECTION 2. This Act applies only to a policy of professional
17 liability insurance for physicians and health care providers
18 delivered, issued for delivery, or renewed on or after January 1,
19 2004. A policy of professional liability insurance for physicians
20 and health care providers delivered, issued for delivery, or
21 renewed before that date is governed by the law in effect
22 immediately before the effective date of this Act, and that law is
23 continued in effect for that purpose.

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