

By: Janek

S.B. No. 182

A BILL TO BE ENTITLED

AN ACT

1
2 relating to joint and several liability in health care liability
3 claims.

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

5 SECTION 1. Subchapter K, Medical Liability and Insurance
6 Improvement Act of Texas (Article 4590i, Vernon's Texas Civil
7 Statutes), is amended by adding Section 11.06 to read as follows:

8 Sec. 11.06. APPLICABILITY OF JOINT AND SEVERAL LIABILITY
9 REQUIREMENTS. Notwithstanding Section 33.013(b), Civil Practice
10 and Remedies Code, a physician or health care provider is not
11 jointly liable for damages attributed to any other person, without
12 regard to whether the percentage of responsibility attributed to
13 the physician or health care provider is greater than 50 percent.

14 SECTION 2. Section 11.06, Medical Liability and Insurance
15 Improvement Act of Texas (Article 4590i, Vernon's Texas Civil
16 Statutes), as added by this Act, applies only to a cause of action
17 that accrues on or after the effective date of this Act. A cause of
18 action that accrues before the effective date of this Act is
19 governed by the law in effect immediately before that date, and that
20 law is continued in effect for that purpose.

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