

By: Carona

S.B. No. 1575

A BILL TO BE ENTITLED

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AN ACT

relating to immunity from civil liability arising from activities of the Texas Workers' Compensation Commission medical quality review panel.

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

SECTION 1. Subsection (d), Section 413.0512, Labor Code, is amended to read as follows:

(d) A person who serves on the medical quality review panel is immune from suit and from civil liability [~~not liable in a civil action~~] for an act performed, or a recommendation made, within the scope of the person's functions as a member of the panel if the person acts without malice and in the reasonable belief that the action or recommendation is warranted by the facts known to that person. In the event of a civil action brought against a member of the panel that arises from the person's participation on the panel, the person [~~in good faith as a member of the panel and~~] is entitled to the same protections afforded a commission member under Section 402.010.

SECTION 2. Subsection (d), Section 413.0512, Labor Code, as amended by this Act, applies to a member of the medical quality review panel regardless of whether the person is a member of the panel at the time the action is brought.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.