

1-1 By: Carona S.B. No. 1575  
1-2 (In the Senate - Filed March 14, 2003; March 20, 2003, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 May 12, 2003, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; May 12, 2003,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1575 By: Armbrister

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to immunity from civil liability arising from activities  
1-11 of the Texas Workers' Compensation Commission medical quality  
1-12 review panel.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (d), Section 413.0512, Labor Code, is  
1-15 amended to read as follows:

1-16 (d) A person who serves on the medical quality review panel  
1-17 is immune from suit and from civil liability [~~not liable in a civil~~  
1-18 ~~action~~] for an act performed, or a recommendation made, within the  
1-19 scope of the person's functions as a member of the panel if the  
1-20 person acts without malice and in the reasonable belief that the  
1-21 action or recommendation is warranted by the facts known to that  
1-22 person. In the event of a civil action brought against a member of  
1-23 the panel that arises from the person's participation on the panel,  
1-24 the person [~~in good faith as a member of the panel and~~] is entitled  
1-25 to the same protections afforded a commission member under Section  
1-26 402.010.

1-27 SECTION 2. Subsection (d), Section 413.0512, Labor Code, as  
1-28 amended by this Act, applies to a member of the medical quality  
1-29 review panel regardless of whether the person is a member of the  
1-30 panel at the time the action is brought.

1-31 SECTION 3. This Act takes effect immediately if it receives  
1-32 a vote of two-thirds of all the members elected to each house, as  
1-33 provided by Section 39, Article III, Texas Constitution. If this  
1-34 Act does not receive the vote necessary for immediate effect, this  
1-35 Act takes effect September 1, 2003.

1-36 \* \* \* \* \*