

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 17, 2003

TO: Honorable Joe Nixon, Chair, House Committee on Civil Practices

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB385 by Delisi (Relating to the liability of health care providers at free medical clinics.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill relates to the liability of health care providers at free medical clinics. The bill indicates that the provisions of the bill apply to health care provided in community-based medical clinics providing uncompensated health care to persons who are unable to pay for the services. Under the provisions of the bill, certain health care providers would not be liable in civil damages for an act performed while providing health care if the act is not wilfully or wantonly negligent.

The bill would require that before the health care is provided a written statement is obtained from the individual to receive the health care or obtained from a parent (managing conservator, custodian or legal guardian) in the case of a minor acknowledging that compensation for the health care is not expected; and that the recovery of damages for an act performed during the provision of the health care is limited in exchange for receiving the health care.

The Department of Health and the Board of Medical Examiners have indicated that the provisions of the bill would have no fiscal impact on these entities. It is assumed that any cost associated with implementing the provisions of the bill would be absorbed by the affected entities.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 501 Department Of Health, 503 Board Of Medical Examiners

LBB Staff: JK, GO, KF, RM