

By: Moreno of Harris

H.B. No. 507

A BILL TO BE ENTITLED

AN ACT

1
2 relating to civil liability of certain volunteer health care
3 providers.

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

5 SECTION 1. Section 84.004, Civil Practice and Remedies
6 Code, is amended by adding Subsection (g) to read as follows:

7 (g) Except as provided by this subsection, if Subsection (c)
8 is to any extent invalidated by a method other than through
9 legislative means, this subsection becomes effective. This
10 subsection does not become effective if only the requirement
11 imposed by Subsection (c)(3) is invalidated. A volunteer health
12 care provider who is serving as a direct service volunteer of a
13 charitable organization is not liable for damages and losses,
14 however characterized, other than economic damages, as defined by
15 Section 66, Article III, Texas Constitution, with respect to
16 treatment, lack of treatment, or other claimed departure from an
17 accepted standard of medical or health care or safety, however
18 characterized, that is or is claimed to be a cause of, or that
19 contributes or is claimed to contribute to, disease, injury, or
20 death of a person if:

21 (1) the treatment, lack of treatment, or other claimed
22 departure from an accepted standard of medical or health care or
23 safety occurred in the course of the volunteer's provision of
24 health care services to the person; and

1 (2) the services provided are within the scope of the
2 license of the volunteer.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2005.