

By: Nixon

H.B. No. 740

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to updating citations to Chapter 74, Civil Practice and  
3 Remedies Code, in Chapter 578, Health and Safety Code.

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

5 SECTION 1. Section 578.003(a), Health and Safety Code, is  
6 amended to read as follows:

7 (a) The board by rule shall adopt a standard written consent  
8 form to be used when electroconvulsive therapy is considered. The  
9 board by rule shall also prescribe the information that must be  
10 contained in the written supplement required under Subsection (c).  
11 In addition to the information required under this section, the  
12 form must include the information required by the Texas Medical  
13 Disclosure Panel for electroconvulsive therapy. In developing the  
14 form, the board shall consider recommendations of the panel. Use of  
15 the consent form prescribed by the board in the manner prescribed by  
16 this section creates a rebuttable presumption that the disclosure  
17 requirements of Sections 74.104 and 74.105, Civil Practice and  
18 Remedies Code [~~6.05 and 6.06, Medical Liability and Insurance~~  
19 ~~Improvement Act of Texas (Article 4590i, Vernon's Texas Civil~~  
20 ~~Statutes)] , have been met.~~

21 SECTION 2. This Act applies only to a cause of action that  
22 accrues on or after the effective date of this Act. An action that  
23 accrued before the effective date of this Act is governed by the law  
24 applicable to the action immediately before the effective date of

1 this Act, and that law is continued in effect for that purpose.

2 SECTION 3. This Act takes effect September 1, 2005.