

By: Delisi

H.B. No. 2476

A BILL TO BE ENTITLED

AN ACT

relating to allowing the Texas Medical Disclosure Panel to hold telephonic hearings.

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

SECTION 1. Section 74.102 (f) of the Civil Practice and Remedies Code is amended to read as follows:

(f) Meetings of the panel shall be held at the call of the chairman or on petition of at least three members of the panel. As an exception to Chapter 551 of the Government Code and other law, if the chairman or the vice-chairman of the disclosure panel is physically present at a meeting, then any number of the other members of the disclosure panel may attend the meeting by use of telephone conference call, video conference call, or other similar telecommunication device. This subsection applies for purposes of constituting a quorum, for purposes of voting, and for any other purpose allowing a disclosure panel member to otherwise fully participate in any disclosure panel meeting. This subsection applies without exception with regard to the subject of the meeting or topics considered by the disclosure panel. A meeting held by use of telephone conference call, video conference call, or other similar telecommunication device:

a. is subject to the notice requirements applicable to other meetings;

b. must specify in the notice of the meeting the location of

1 the meeting at which the chair or vice-chair will be physically  
2 present;

3 c. must be open to the public and audible to the public at  
4 the location specified in the notice of the meeting as the location  
5 of the meeting at which the chair or vice-chair will be physically  
6 present; and

7 d. must provide two-way audio communication between all  
8 disclosure panel members attending the meeting during the entire  
9 meeting, and, if the two-way audio communication link with any  
10 member attending the meeting is disrupted at any time, the meeting  
11 may not continue until the two-way audio communication link is  
12 reestablished.

13 SECTION 2. The change in law made by this Act applies only  
14 to a meeting of the Texas Medical Disclosure Panel that occurs on or  
15 after the effective date of this Act.

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