

1-1 By: Delisi (Senate Sponsor - Nelson) H.B. No. 2476
1-2 (In the Senate - Received from the House May 10, 2005;
1-3 May 12, 2005, read first time and referred to Committee on State
1-4 Affairs; May 19, 2005, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 19, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to allowing the Texas Medical Disclosure Panel to hold
1-9 hearings by telecommunication methods.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 74.102(f), Civil Practice and Remedies
1-12 Code, is amended to read as follows:

1-13 (f) Meetings of the panel shall be held at the call of the
1-14 chairman or on petition of at least three members of the panel.
1-15 Notwithstanding Chapter 551, Government Code, or any other law, if
1-16 any member of the panel is physically present at a meeting, any
1-17 number of the other members of the panel may attend the meeting by
1-18 use of telephone conference call, videoconferencing, or other
1-19 similar telecommunication method for purposes of establishing a
1-20 quorum or voting or for any other meeting purpose allowing a panel
1-21 member to fully participate in any panel meeting. This subsection
1-22 applies without regard to the subject matter discussed or
1-23 considered by the panel at the meeting. A meeting held by telephone
1-24 conference call, videoconferencing, or other similar
1-25 telecommunication method:

1-26 (1) is subject to the notice requirements applicable
1-27 to other meetings of the panel;

1-28 (2) may not be held unless the notice of the meeting
1-29 specifies the location of the meeting at which a member of the panel
1-30 will be physically present;

1-31 (3) must be open to the public and audible to the
1-32 public at the location specified in the notice under Subdivision
1-33 (2); and

1-34 (4) must provide two-way audio communication between
1-35 all panel members attending the meeting during the entire meeting,
1-36 and, if the two-way audio communication link with any member
1-37 attending the meeting is disrupted at any time, the meeting may not
1-38 continue until the two-way audio communication link is
1-39 reestablished.

1-40 SECTION 2. The change in law made by this Act applies only
1-41 to a meeting of the Texas Medical Disclosure Panel that occurs on or
1-42 after the effective date of this Act. A meeting of the panel that
1-43 occurs before the effective date of this Act is governed by the law
1-44 in effect immediately before that date, and that law is continued in
1-45 effect for that purpose.

1-46 SECTION 3. This Act takes effect immediately if it receives
1-47 a vote of two-thirds of all the members elected to each house, as
1-48 provided by Section 39, Article III, Texas Constitution. If this
1-49 Act does not receive the vote necessary for immediate effect, this
1-50 Act takes effect September 1, 2005.

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