

1-1 By: Averitt S.B. No. 1510
1-2 (In the Senate - Filed March 10, 2005; March 22, 2005, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 20, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 20, 2005,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1510 By: Ellis

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the liability of a nonprofit management contractor of
1-11 county hospital authorities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 264, Health and Safety Code, is amended
1-14 by adding Subchapter E to read as follows:

1-15 SUBCHAPTER E. LIABILITY OF NONPROFIT MANAGEMENT CONTRACTOR

1-16 Sec. 264.061. DEFINITION. In this subchapter, "county
1-17 hospital authority management contractor" means a nonprofit
1-18 corporation, partnership, or sole proprietorship that manages or
1-19 operates a hospital or provides services under a contract with a
1-20 county hospital authority.

1-21 Sec. 264.062. LIABILITY OF COUNTY HOSPITAL AUTHORITY
1-22 MANAGEMENT CONTRACTOR. A county hospital authority management
1-23 contractor in its management or operation of a hospital under a
1-24 contract with a county hospital authority is considered a
1-25 governmental unit for purposes of Chapters 101, 102, and 108, Civil
1-26 Practice and Remedies Code, and any employee of the contractor is,
1-27 while performing services under the contract for the benefit of the
1-28 hospital, an employee of the county hospital authority for the
1-29 purposes of Chapters 101, 102, and 108, Civil Practice and Remedies
1-30 Code.

1-31 SECTION 2. This Act applies only to an action filed on or
1-32 after the effective date of this Act. An action filed before the
1-33 effective date of this Act, including an action filed before that
1-34 date in which a party is joined or designated after that date, is
1-35 governed by the law in effect immediately before the change in law
1-36 made by this Act, and that law is continued in effect for that
1-37 purpose.

1-38 SECTION 3. This Act takes effect September 1, 2005.

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