

BILL ANALYSIS

Senate Research Center
80R16121 DAK-F

H.B. 3281
By: King, Phil et al. (Duncan)
State Affairs
5/10/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 78th Legislature, Regular Session, 2003, enacted legislation that authorizes a claimant in a lawsuit to recover only those medical or health care expenses the claimant had already paid or incurred. The law does not allow for the collection of any future costs the claimant may incur.

H.B. 3281 authorizes a claimant to recover medical or health care expenses that are actually paid or are incurred by or on the behalf of the claimant.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 41.0105, Civil Practice and Remedies Code, as follows:

Sec. 41.0105. EVIDENCE RELATING TO AMOUNT OF ECONOMIC DAMAGES.

(a) Creates this subsection from existing text.

(b) Provides that this section applies only to a health care liability claim under Chapter 74 (Medical Liability).

(c) Provides that this section does not apply to a claim for future medical or health care expenses.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2007.