

1-1 By: King of Parker, et al. H.B. No. 3281  
1-2 (Senate Sponsor - Duncan)  
1-3 (In the Senate - Received from the House May 10, 2007;  
1-4 May 10, 2007, read first time and referred to Committee on State  
1-5 Affairs; May 11, 2007, reported favorably by the following vote:  
1-6 Yeas 9, Nays 0; May 11, 2007, sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the recovery of medical or health care expenses in civil  
1-10 actions.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 41.0105, Civil Practice and Remedies  
1-13 Code, is amended to read as follows:

1-14 Sec. 41.0105. EVIDENCE RELATING TO AMOUNT OF ECONOMIC  
1-15 DAMAGES. (a) In addition to any other limitation under law,  
1-16 recovery of medical or health care expenses incurred is limited to  
1-17 the amount actually paid or incurred by or on behalf of the  
1-18 claimant.

1-19 (b) This section only applies to a health care liability  
1-20 claim under Chapter 74.

1-21 (c) This section does not apply to a claim for future  
1-22 medical or health care expenses.

1-23 SECTION 2. This Act applies only to an action commenced on  
1-24 or after the effective date of this Act. An action that is  
1-25 commenced before the effective date of this Act is governed by the  
1-26 law applicable to the action immediately before the effective date  
1-27 of this Act, and that law is continued in effect for that purpose.

1-28 SECTION 3. This Act takes effect immediately if it receives  
1-29 a vote of two-thirds of all the members elected to each house, as  
1-30 provided by Section 39, Article III, Texas Constitution. If this  
1-31 Act does not receive the vote necessary for immediate effect, this  
1-32 Act takes effect September 1, 2007.

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