

By: Hinojosa

S.B. No. 1560

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to damages in wrongful death and survival actions on  
3 health care liability claims.

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

5 SECTION 1. Section 74.303, Civil Practice and Remedies  
6 Code, is amended by adding Subsection (f) to read as follows:

7 (f) Notwithstanding Section 74.001(a)(2) and any other  
8 provision of this chapter, in a wrongful death or survival action on  
9 a health care liability claim, the limitations in Section 74.301  
10 shall be applied individually to each person, including a  
11 decendent's estate, seeking or who sought recovery of damages.

12 SECTION 2. Section 74.303(f), Civil Practice and Remedies  
13 Code, as added by this Act, applies only to a health care liability  
14 claim filed on or after the effective date of this Act. A health  
15 care liability claim filed before the effective date of this Act is  
16 governed by the law that existed immediately before the effective  
17 date of this Act, and that law is continued in effect for that  
18 purpose.

19 SECTION 3. This Act takes effect September 1, 2007.