

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 13, 2007

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB468 by Ellis (Relating to the standard of proof in health care liability claims involving emergency care.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code by changing the standard of proof in a health care liability claim involving emergency care. Under the bill a claimant would be required to show by clear and convincing evidence the physician or health care provider deviated from the degree of care and skill that is reasonably expected.

The bill takes effect September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

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