

## **BILL ANALYSIS**

Senate Research Center  
81R10748 CAE-F

S.B. 1211  
By: Fraser  
State Affairs  
4/1/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Charitable Immunity and Liability Act of 1987 provides that a volunteer health care provider who is serving as a direct service volunteer of a charitable organization is immune from civil liability for any act or omission resulting in injury to a patient under certain circumstances. The statute defines "volunteer health care provider" to include certain medical professionals, including physicians and dentists. However, speech-language pathologists and audiologists are not included in the definition.

As proposed, S.B. 1211 amends Section 84.003 (Definitions), Civil Practice and Remedies Code, to redefine "volunteer health care provider" to include speech-language pathologists and audiologists.

### **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 84.003(5), Civil Practice and Remedies Code, to redefine "volunteer health care provider" to include an audiologist, assistant in audiology, speech-language pathologist, or assistant in speech-language pathologist, or assistant in speech-language pathology licensed under Chapter 401 (Speech-Language Pathologists and Audiologists), or a retired audiologist, assistant in audiology, speech-language pathologist, or assistant in speech-language pathology who is eligible to provide health care services under this laws of this state.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.