

By: Farrar

H.B. No. 3985

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the liability of certain social workers who provide  
3 volunteer health care services to charitable organizations.

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

5 SECTION 1. Section 84.003(5), Civil Practice and Remedies  
6 Code, is amended to read as follows:

7 (5) "Volunteer health care provider" means an  
8 individual who voluntarily provides health care services without  
9 compensation or expectation of compensation and who is:

10 (A) an individual who is licensed to practice  
11 medicine under Subtitle B, Title 3, Occupations Code;

12 (B) a retired physician who is eligible to  
13 provide health care services, including a retired physician who is  
14 licensed but exempt from paying the required annual registration  
15 fee under Section 156.002, Occupations Code;

16 (C) a physician assistant licensed under Chapter  
17 204, Occupations Code, or a retired physician assistant who is  
18 eligible to provide health care services under the law of this  
19 state;

20 (D) a registered nurse, including an advanced  
21 nurse practitioner, or vocational nurse, licensed under Chapter  
22 301, Occupations Code, or a retired vocational nurse or registered  
23 nurse, including a retired advanced nurse practitioner, who is  
24 eligible to provide health care services under the law of this

1 state;

2 (E) a pharmacist licensed under Subtitle J, Title  
3 3, Occupations Code, or a retired pharmacist who is eligible to  
4 provide health care services under the law of this state;

5 (F) a podiatrist licensed under Chapter 202,  
6 Occupations Code, or a retired podiatrist who is eligible to  
7 provide health care services under the law of this state;

8 (G) a dentist licensed under Subtitle D, Title 3,  
9 Occupations Code, or a retired dentist who is eligible to provide  
10 health care services under the law of this state;

11 (H) a dental hygienist licensed under Subtitle D,  
12 Title 3, Occupations Code, or a retired dental hygienist who is  
13 eligible to provide health care services under the law of this  
14 state;

15 (I) an optometrist or therapeutic optometrist  
16 licensed under Chapter 351, Occupations Code, or a retired  
17 optometrist or therapeutic optometrist who is eligible to provide  
18 health care services under the law of this state;

19 (J) a physical therapist or physical therapist  
20 assistant licensed under Chapter 453, Occupations Code, or a  
21 retired physical therapist or physical therapist assistant who is  
22 eligible to provide health care services under the law of this  
23 state; [~~or~~]

24 (K) an occupational therapist or occupational  
25 therapy assistant licensed under Chapter 454, Occupations Code, or  
26 a retired occupational therapist or occupational therapy assistant  
27 who is eligible to provide health care services under the law of

1 this state; or

2 (L) a social worker licensed under Chapter 505,  
3 Occupations Code, or a retired social worker who is eligible to  
4 engage in the practice of social work under the law of this state.

5 SECTION 2. This Act applies only to a cause of action that  
6 accrues on or after the effective date of this Act. An action that  
7 accrued before the effective date of this Act is governed by the law  
8 in effect when the action accrued, and that law is continued in  
9 effect for that purpose.

10 SECTION 3. This Act takes effect September 1, 2009.