

By: Van de Putte

S.B. No. 1815

A BILL TO BE ENTITLED

AN ACT

relating to immunity from liability for doctors performing certain services at the request of the division of workers' compensation of the Texas Department of Insurance.

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

SECTION 1. Section 413.054, Labor Code, is amended to read as follows:

Sec. 413.054. IMMUNITY FROM LIABILITY. (a) A person who performs services for the division as a designated doctor, a doctor performing a required medical examination or an independent medical examination ~~[examiner]~~, a doctor performing a medical case review, or a member of a peer review panel has the same immunity from liability as the commissioner under Section 402.00123 ~~[402.0024]~~.

(b) Immunity from liability under this section does not apply to a person:

(1) providing medical treatment to an injured employee; or

(2) performing a service at the request of an insurance carrier, injured employee, or injured employee's representative.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2009.