

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 25, 2009**

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

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

**IN RE: SB152** by Ellis (Relating to the standard of proof in health care liability claims involving emergency care.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Civil Practice and Remedies Code relating to the standard of proof in health care liability claims involving emergency care. The bill would remove the standard of proof for claims against an individual or entity covered by Section 74.151(b) or (e) of the Civil Practice and Remedies Code. To the extent the bill would amend the standard of proof in health care liability claims, the change is not anticipated to increase the workload of the courts. The bill would take effect September 1, 2009.

**Local Government Impact**

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

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

**LBB Staff:** JOB, KJG, JP, TB, TP