

## **BILL ANALYSIS**

H.B. 823  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Communities affected by a catastrophic event, such as a natural disaster, often depend on volunteer professionals to assist in recovery efforts. Doctors, nurses, and pharmacists who donate their time and expertise to help those in immediate need are generally protected from malpractice lawsuits, except in certain cases of wilful or malicious conduct. Interested parties note that social workers, who also perform critical services by directing disaster victims to appropriate resources, are not currently covered by this protection. H.B. 823 seeks to add social workers and certain retired social workers to the persons covered by the Charitable Immunity and Liability Act of 1987.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 823 amends the Civil Practice and Remedies Code to redefine "volunteer health care provider," for purposes of provisions under the Charitable Immunity and Liability Act of 1987 relating to the immunity and civil liability of a volunteer at a charitable organization, to include an individual who voluntarily provides health care services without compensation or expectation of compensation and who is a licensed social worker or a retired social worker who is eligible to engage in the practice of social work under state law.

### **EFFECTIVE DATE**

September 1, 2011.