

By: Van de Putte

S.B. No. 1336

A BILL TO BE ENTITLED

AN ACT

relating to charitable immunity of a licensed marriage and family therapist.

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

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

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

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

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

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

(D) a registered nurse, including an advanced nurse practitioner, or vocational nurse, licensed under Chapter 301, Occupations Code, or a retired vocational nurse or registered nurse, including a retired advanced nurse practitioner, who is 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;

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) an audiologist, assistant in audiology,
3 speech-language pathologist, or assistant in speech-language
4 pathology licensed under Chapter 401, Occupations Code, or a
5 retired audiologist, assistant in audiology, speech-language
6 pathologist, or assistant in speech-language pathology who is
7 eligible to provide health care services under the laws of this
8 state; or

9 (M) a marriage and family therapist licensed
10 under Chapter 502, Occupations Code.

11 SECTION 2. The change in law made by this Act applies only
12 to a cause of action that accrues on or after the effective date of
13 this Act. A cause of action that accrues before the effective date
14 of this Act is governed by the law in effect immediately before that
15 date, and that law is continued in effect for that purpose.

16 SECTION 3. This Act takes effect September 1, 2011.