

By: Deuell

S.B. No. 1853

A BILL TO BE ENTITLED

AN ACT

relating to hospital and emergency medical services lien notice requirements.

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

SECTION 1. Section 55.001, Property Code, is amended by adding Subdivision (5) to read as follows:

(5) "Third-party payor" means an entity that provides an insurance, medical service, or health plan by contract or agreement, including an automobile liability insurance or no-fault insurance carrier, and any other plan or program that provides compensation or coverage for expenses incurred by an individual for hospital or emergency medical services for which a lien may attach under this chapter.

SECTION 2. Chapter 55, Property Code, is amended by adding Section 55.0055 to read as follows:

Sec. 55.0055. NOTICE TO THIRD-PARTY PAYORS REQUIRED. (a) Not later than the third business day after the date a hospital or emergency medical services provider files a written notice of the lien under Section 55.005, the hospital or emergency medical services provider shall send a copy of the notice by prepaid United States mail to each third-party payor of which the hospital or emergency medical services provider has actual knowledge.

(b) If a hospital or medical services provider fails to send a copy of the notice of the lien as required by Subsection (a), the

1 notice of the lien filed under Section 55.005 is void.

2       SECTION 3. The change in law made by this Act applies only  
3 to a notice of a lien filed on or after the effective date of this  
4 Act. A notice of a lien filed before the effective date of this Act  
5 is covered by the law in effect when the notice of the lien was  
6 filed, and the former law is continued in effect for that purpose.

7       SECTION 4. This Act takes effect September 1, 2011.