

By: Deuell

S.B. No. 1856

A BILL TO BE ENTITLED

AN ACT

relating to the recovery of medical or health care expenses in civil actions.

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

SECTION 1. Section 41.0105, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 41.0105. RECOVERY OF MEDICAL OR HEALTH CARE EXPENSES INCURRED [~~EVIDENCE RELATING TO AMOUNT OF ECONOMIC DAMAGES~~]. In addition to any other limitation under law, recovery of medical or health care expenses incurred is limited to the amount that is:

(1) actually paid [~~or incurred~~] by or on behalf of the claimant to a physician or health care provider, as defined by Section 74.001; and

(2) accepted as payment in full.

SECTION 2. This Act applies only to an action commenced on or after the effective date of this Act. An action commenced before the effective date of this Act is governed by the law applicable to the action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

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