

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 24, 2015

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1403 by Sheets (Relating to the scope and contents of an expert report for a health care liability claim.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to limit the definition of a "Health care liability claim" to not include a cause of action brought by or on behalf of an employee who is not covered by workers' compensation insurance obtained in the manner authorized by Sec. 406.003 of the Labor Code or a cause of action brought by a surviving spouse or heir of an employee whose death was caused by the intentional act or omission of the employer or the employer's gross negligence. The bill would also require that a health care liability claim include within the claimant's expert report at least one theory of direct liability asserted against each physician or health care provider against whom a theory of direct liability is asserted. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

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: UP, FR, GDz