

1-1 By: Klick (Senate Sponsor - Burton) H.B. No. 2886
 1-2 (In the Senate - Received from the House May 10, 2017;
 1-3 May 16, 2017, read first time and referred to Committee on State
 1-4 Affairs; May 22, 2017, reported favorably by the following vote:
 1-5 Yeas 9, Nays 0; May 22, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to limiting the liability of certain health care
 1-20 providers.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 81.091, Health and Safety Code, is
 1-23 amended by amending Subsection (g) and adding Subsection (g-1) to
 1-24 read as follows:

1-25 (g) Except as provided by Subsection (g-1), a [A] person
 1-26 commits an offense if the person is a physician or other person in
 1-27 attendance on a pregnant woman either during pregnancy or at
 1-28 delivery and fails to perform a duty required by this section. An
 1-29 offense under this section is a Class B misdemeanor.

1-30 (g-1) A physician, nurse, midwife, or other person in
 1-31 attendance at childbirth who is unable to apply the prophylaxis as
 1-32 required by this section due to the objection of a parent, managing
 1-33 conservator, or guardian of the newborn infant does not commit an
 1-34 offense under this section and is not subject to criminal, civil, or
 1-35 administrative liability or any professional disciplinary action
 1-36 for failure to administer the prophylaxis. The physician, nurse,
 1-37 midwife, or person shall ensure that the objection of the parent,
 1-38 managing conservator, or guardian is entered into the medical
 1-39 record of the infant.

1-40 SECTION 2. This Act takes effect September 1, 2017.

1-41 * * * * *