

1-1 By: Hancock S.B. No. 2066
 1-2 (In the Senate - Filed March 10, 2017; March 28, 2017, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 April 26, 2017, reported favorably by the following vote: Yeas 5,
 1-5 Nays 2; April 26, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Creighton	X			
1-9 Campbell		X		
1-10 Estes			X	
1-11 Nichols	X			
1-12 Schwertner		X		
1-13 Taylor of Galveston	X			
1-14 Whitmire			X	
1-15 Zaffirini	X			

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

1-19 relating to the attachment of a hospital lien on a cause of action
 1-20 or claim of an injured person who receives hospital services.

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

1-22 SECTION 1. Section 55.001(3), Property Code, is amended to
 1-23 read as follows:

1-24 (3) "Hospital" has the meaning assigned by Section
 1-25 241.003, Health and Safety Code ~~[means a person or institution~~
 1-26 ~~maintaining a facility that provides hospital services in this~~
 1-27 ~~state].~~

1-28 SECTION 2. Sections 55.002(a) and (b), Property Code, are
 1-29 amended to read as follows:

1-30 (a) A hospital has a lien on a cause of action or claim of an
 1-31 individual who receives hospital services for injuries caused by an
 1-32 accident that is attributed to the negligence of another person.
 1-33 For the lien to attach, the individual must receive services from
 1-34 ~~[be admitted to]~~ a hospital not later than 72 hours after the
 1-35 accident.

1-36 (b) The lien extends to both the ~~[admitting]~~ hospital from
 1-37 which an individual initially receives services and a hospital to
 1-38 which the individual is transferred for treatment of the same
 1-39 injury.

1-40 SECTION 3. Section 55.003(a), Property Code, is amended to
 1-41 read as follows:

1-42 (a) A lien under this chapter attaches to:

1-43 (1) a cause of action for damages arising from an
 1-44 injury for which the injured individual receives services from ~~[is~~
 1-45 ~~admitted to]~~ the hospital or receives emergency medical services;

1-46 (2) a judgment of a court in this state or the decision
 1-47 of a public agency in a proceeding brought by the injured individual
 1-48 or by another person entitled to bring the suit in case of the death
 1-49 of the individual to recover damages arising from an injury for
 1-50 which the injured individual receives services from ~~[is admitted~~
 1-51 ~~to]~~ the hospital or receives emergency medical services; and

1-52 (3) the proceeds of a settlement of a cause of action
 1-53 or a claim by the injured individual or another person entitled to
 1-54 make the claim, arising from an injury for which the injured
 1-55 individual receives services from ~~[is admitted to]~~ the hospital or
 1-56 receives emergency medical services.

1-57 SECTION 4. Sections 55.004(b) and (c), Property Code, are
 1-58 amended to read as follows:

1-59 (b) A hospital lien described by Section 55.002(a) is for
 1-60 the amount of the hospital's charges for services provided to the
 1-61 injured individual during the first 100 days that ~~[of]~~ the injured

2-1 individual receives services from the hospital [~~individual's~~
2-2 ~~hospitalization~~].

2-3 (c) A hospital lien described by Section 55.002(a) may also
2-4 include the amount of a physician's reasonable and necessary
2-5 charges for emergency hospital care services provided to the
2-6 injured individual during the first seven days that [~~of~~] the
2-7 injured individual receives services from the hospital
2-8 [~~individual's hospitalization~~]. At the request of the physician,
2-9 the hospital may act on the physician's behalf in securing and
2-10 discharging the lien.

2-11 SECTION 5. The change in law made by this Act applies only
2-12 to a lien for services provided to an injured individual on or after
2-13 the effective date of this Act. A lien for services provided before
2-14 the effective date of this Act is governed by the law as it existed
2-15 immediately before the effective date of this Act, and that law is
2-16 continued in effect for that purpose.

2-17 SECTION 6. This Act takes effect September 1, 2017.

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