

BILL ANALYSIS

Senate Research Center
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S.B. 1159
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1159 proposes to amend Chapter 55 of the Property Code to formally define admission to a hospital for hospital lien purposes.

Under the proposed definition, an individual would be considered admitted as required to attach a hospital lien if the individual is allowed access to any department of the hospital for the provision of any treatment, care, or service. The bill is for clarification purposes only; it does not change the way the law operates but instead reflects what has been understood and practiced in the medical field. The need for clarification arises from attempts by some attorneys to argue for a narrower interpretation considering a person admitted to a hospital only when that person receives in-patient care from a hospital, thereby prohibiting the attachment of liens related to financial settlements that result from a cause of action to pay for the cost of providing other hospital services.

The bill would create Section 55.0015 (Admission to Hospital), Property Code, clarifying the definition with the following language:

For purposes of this chapter, an injured individual is considered admitted to a hospital if the individual is allowed access to any department of the hospital for the provision of any treatment, care, or service to the individual.

The bill is supported by the Texas Hospital Association.

As proposed, S.B. 1159 amends current law relating to hospital liens.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 55, Property Code, by adding Section 55.0015, as follows;

Sec. 55.0015. ADMISSION TO HOSPITAL. Provides that, for purposes of this chapter (Hospital and Emergency Medical Services Liens), an injured individual is considered admitted to a hospital if the individual is allowed access to any department of the hospital for the provision of any treatment, care, or service to the individual.

SECTION 2. Provides that the addition by this Act of Section 55.0015, Property Code, is intended to clarify rather than change the existing law.

SECTION 3. Effective date: upon passage or September 1, 2019.