

House Bill 2064
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 55.004(b), Property Code, is amended to read as follows:

(b) A hospital lien described by Section 55.002(a) is for the lesser of:

(1) the amount of the hospital's charges for services provided to the injured individual during the first 100 days of the injured individual's hospitalization less the pro rata share of attorney's fees and expenses the injured individual incurred in pursuing the claim; [øø]

(2) 50 percent of all amounts recovered by the injured individual through a cause of action, judgment, or settlement described by Section 55.003(a) less the pro rata share of attorney's fees and expenses the injured individual incurred in pursuing the claim; or

(3) the amount awarded by the trier of fact for the services provided to the injured individual by the hospital less the pro rata share of attorney's fees and expenses the injured individual incurred in pursuing the claim.

SECTION 2. The change in law made by this Act applies only to a lien for services provided to an injured individual on or after the effective date of this Act. A lien for services provided before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If

SENATE VERSION (CS)

SECTION 1. Section 55.004(b), Property Code, is amended to read as follows:

(b) A hospital lien described by Section 55.002(a) is for the lesser of:

(1) the amount of the hospital's charges for services provided to the injured individual during the first 100 days of the injured individual's hospitalization; [øø]

(2) 50 percent of all amounts recovered by the injured individual through a cause of action, judgment, or settlement described by Section 55.003(a); or

(3) if the trier of fact specifies the amount awarded for hospital charges for services provided to the injured individual, the amount awarded by the trier of fact for the services provided to the injured individual by the hospital less the pro rata share of reasonable attorney's fees and expenses the injured individual incurred in pursuing the claim.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

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HOUSE VERSION

this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

SENATE VERSION (CS)

CONFERENCE