88R3438 SCL-D

By:  Hall S.B. No. 299

A BILL TO BE ENTITLED

AN ACT

relating to health care services provided at a hospital by a physician who is not a member of the hospital's medical staff and the hospital's liability for health care services provided by such a physician.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter E, Chapter 241, Health and Safety Code, is amended by adding Section 241.1013 to read as follows:

Sec. 241.1013.  SERVICES PROVIDED BY PHYSICIAN NOT ON MEDICAL STAFF; LIMIT ON HOSPITAL LIABILITY. (a) A hospital shall allow a physician who is not a member of the hospital's medical staff to provide care or treatment to a patient at the hospital at the patient's request.

(b)  Notwithstanding any other law, a hospital is not liable to a patient or another person for damages resulting from the care or treatment provided to the patient at the hospital by a physician described by Subsection (a).

SECTION 2.  Section 241.1013(b), Health and Safety Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

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 this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.