



FLOOR AMENDMENT NO. _____

BY: Bonnen

- 1 Amend C.S.S.B. 30 (house committee printing) as follows:
- 2 (1) On page 1, line 9, between "for" and "health", insert
- 3 "past".
- 4 (2) On page 1, line 21, strike "14.015" and substitute
- 5 "41.015".
- 6 (3) On page 2, line 5, strike "and" and substitute "or".
- 7 (4) On page 4, line 4, strike "ADMISSIBLE".
- 8 (5) On page 4, line 6, between "of" and "health", insert
- 9 "past".
- 10 (6) On page 4, line 12, strike "economic".
- 11 (7) On page 4, line 13, between "that" and "service", insert
- 12 "health care".
- 13 (8) On page 4, line 15, strike "by" and substitute "or owed
- 14 by or on behalf of".
- 15 (9) On page 4, strike lines 17-21 and substitute the
- 16 following:
- 17 (d) If Subsection (c) does not apply, any party may offer
- 18 and the court shall admit the following evidence regarding the
- 19 reasonable value of the necessary health care services, supplies,
- 20 or devices provided to the injured individual:
- 21 (10) On page 4, line 25, strike "a formal or informal" and
- 22 substitute "an".
- 23 (11) On page 5, strike lines 12-14 and substitute the
- 24 following:
- 25 (D) the following information, provided the
- 26 claimant served a notice of intent to rely on the information within
- 27 the time a claimant's affidavit under Section 18.001(d) must be
- 28 served:
- 29 (12) On page 6, strike line 5 and substitute the following:

1 (1) a Current Procedural Terminology, Healthcare
2 Common Procedure Coding System, or Evaluation and Management code
3 if the service, supply, or device has such a code;
4 (13) On page 6, between lines 9 and 10, insert the
5 following:
6 (g) A party may offer and the court shall admit evidence
7 allowed by Subsection (d)(2) through:
8 (1) an expert witness; or
9 (2) cross-examination of an adverse witness if the
10 offering party gave the other parties to the action notice,
11 including a disclosure of the evidence, not later than the 45th day
12 before the date the trial commences that the evidence allowed under
13 Subsection (d)(2) may be offered at trial.
14 (14) On page 6, line 10, strike "CLAIMANT DISCLOSURE" and
15 substitute "DISCLOSURE AND DISCOVERY".
16 (15) On page 6, line 16, strike "oral or written".
17 (16) On page 6, line 20, immediately after the underlined
18 semicolon, insert "and".
19 (17) Strike page 6, line 26, through page 7, line 10, and
20 substitute "to that event.".
21 (18) On page 7, between lines 10 and 11, insert the
22 following appropriately lettered subsection and reletter
23 subsequent subsections and cross-references to those subsections
24 accordingly:
25 (__) On request by a party to an action to which Section
26 41.015 applies, a claimant shall state the name, address, and
27 telephone number of each person who provided to the claimant or
28 injured individual the name or other contact information of a
29 health care provider that provided a health care service to the
30 injured individual, even if the person is or was an attorney for the
31 claimant or injured individual.

1 (19) Strike page 7, line 16, through page 8, line 2, and
2 substitute the following:

3 (1) the number of persons an attorney to the action
4 referred to the provider in the preceding two years; and

5 (2) the total amount paid to the provider in the
6 preceding two years by or on behalf of persons referred to the
7 provider by an attorney to the action.

8 (20) On page 8, strike lines 6-7 and substitute the
9 following:

10 (1) medical records showing health care services,
11 health care supplies, health care devices, or pharmaceutical
12 products provided to the injured individual to diagnose, alleviate,
13 cure, treat, or heal the injury caused to that individual by the
14 event that is the subject of the action;

15 (21) On page 8, line 10, immediately after the underlined
16 semicolon, insert "and".

17 (22) On page 8, line 15, strike "; and" and substitute an
18 underlined period.

19 (23) On page 8, strike lines 16-19.

20 (24) Strike page 8, line 24, through page 9, line 3, and
21 substitute the following:

22 SECTION 3. The changes in law made by this Act apply only to
23 an action commenced on or after the effective date of this Act.