

- SUBJECT:** Allowing a chiropractor to be expert witness in health care liability case
- COMMITTEE:** Judiciary and Civil Jurisprudence — favorable, without amendment
- VOTE:** 8 ayes — Leach, Davis, Julie Johnson, Krause, Middleton, Moody, Schofield, Smith
- 0 nays
- 1 absent — Dutton
- WITNESSES:** For — Thomas Hollingsworth, Texas Chiropractic Association;
(*Registered, but did not testify:* Lee Parsley, Texans for Lawsuit Reform; Mo Jahadi, Texas Chiropractic Association; Ware Wendell, Texas Watch)
- Against — None
- BACKGROUND:** Civil Practice and Remedies Code secs. 74.351 and 74.403 allow certain qualified health care providers, including physicians, to provide expert testimony in suits involving health care liability claims.
- Interested parties suggest that chiropractors currently are not authorized to serve as expert witnesses on causation in malpractice suits concerning chiropractic care and may be qualified for such purposes.
- DIGEST:** HB 2406 would allow a chiropractor to qualify as an expert witness in a suit involving a health care liability claim against a chiropractor on the issue of the causal relationship between the alleged departure from accepted standards of care and the injury, harm, or damages claimed. A chiropractor or physician who was otherwise qualified to render opinions on that causal relationship under the Texas Rules of Evidence could qualify as an expert witness.
- The bill would take effect September 1, 2021, and would apply only to an action commenced on or after the effective date.