

BILL ANALYSIS

Senate Research Center

C.S.S.B. 384
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Jurisprudence
3/16/1999
Committee Report (Substituted)

DIGEST

Currently, a lien can be set by a hospital against an individual's cause of action or claim of negligence against a third party. The lien is for the amount of charges for services provided to the injured individual during the first 100 days of hospitalization and only for charges that do not exceed a reasonable and regular rate for the services. C.S.S.B. 384 authorizes a hospital lien to include the amount of a physician's charges for certain services.

PURPOSE

As proposed, C.S.S.B. 384 authorizes a hospital lien to include the amount of a physician's charges for certain services.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 55.004, Property Code, to authorize a lien to include the physician charges for emergency hospital care provided to the injured person during the first seven days of the injured's hospitalization. Authorizes a hospital to act on behalf of the physician to secure and discharge the lien. Defines "emergency care." Provides that a lien does not cover any services for which the physician has accepted insurance benefits or payment under any private medical indemnity plan or program. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 55.04, Property Code, to define "emergency care," and establish that a lien does not cover any services for which the physician has accepted insurance benefits or payment under any private medical indemnity plan or program.