

BILL ANALYSIS

Senate Research Center
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S.B. 1684
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State Affairs
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DIGEST AND PURPOSE

Currently, plaintiffs are required to give notice to a physician before filing a lawsuit. The physician then reports to the Texas State Board of Medical Examiners (TSBME) any notice of claim letters and complaints, as well as information on settled cases; insurance companies and the Texas Department of Insurance (TDI) then receive and process the information. The need has emerged to differentiate between claims notices received, and claims that turn into lawsuits. As proposed, S.B. 1684 requires insurers to report to the commissioner of insurance and TSBME specifics regarding the number of notice of claims letters and the number of claims for which a lawsuit has been filed against a physician or health care provider. TDI and TSBME would then report the information to the legislature.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 5, Insurance Code, by adding Article 5.15-6, as follows:

Art. 5.15-6. REPORT OF CLAIMS UNDER PROFESSIONAL LIABILITY INSURANCE POLICIES FOR PHYSICIANS AND HEALTH CARE PROVIDERS. (a) Requires an insurer that writes professional liability insurance for physicians and health care providers, on or before November 1 of each year, to provide the commissioner of insurance (commissioner) with certain specific information for the preceding year.

(b) Requires an insurer, at the same time the insurer provides information to the commissioner under Subsection (a), to report certain information to the Texas State Board of Medical Examiners.

(c) Requires the commissioner and the Texas State Board of Medical Examiners, on or before January 1 of each year, to submit a report to the legislature including all the information provided them by insurers.

SECTION 2. Effective date: September 1, 2003.