

BILL ANALYSIS

Senate Research Center
79R2154 DAK-D

H.B. 739
By: Nixon (Duncan)
State Affairs
4/27/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

During the 78th Legislature, Regular Session, 2003, legislation was enacted that moved Article 4590i, V.T.C.S., to Chapter 74, Civil Practice and Remedies Code. Now there are antiquated cross-references in the statutes.

H.B. 739 updates the citation to Chapter 74, Civil Practice and Remedies Code, in the Business & Commerce Code.

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 Section 241.153, Health and Safety Code, as follows:

(17) Makes a nonsubstantive change.

(18) Authorizes a patient's health care information to be disclosed without the patient's authorization if the disclosure is to satisfy a request for medical records of a deceased or incompetent person pursuant to Section 74.051(e) (Notice), Civil Practice and Remedies Code, rather than Section 4.01(e), Medical Liability and Insurance Improvement Act of Texas (Article 4590i, V.T.C.S).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.