

## **BILL ANALYSIS**

Senate Research Center  
79R2159 DAK-D

H.B. 744  
By: Nixon (Duncan)  
State Affairs  
4/27/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The 78th Legislature, Regular Session, 2003, enacted legislation that moved Article 4590i, V.T.C.S., to Chapter 74, Civil Practice and Remedies Code. Now there exists antiquated cross-references in the statutes. H.B. 74 updates Chapter 74, Civil Practice and Remedies Code, to reflect the change in statute.

### **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 164.201, Occupations Code, to require the Texas State Board of Medical Examiners (board) to review the medical competency of a physician against whom three or more expert reports under Section 74.531 (Expert Report), Civil Practice and Remedies Code, rather than Section 13.01, Medical Liability and Insurance Improvement Act of Texas (Article 4590i, V.T.C.S.), have been filed in three separate lawsuits within a five-year period in the same manner as if a complaint against the physician had been made to the board under Section 154.051 (Complaint Initiation).

SECTION 2. Provides that this Act applies to the review of medical competency based on filed reports, without regard to whether the reports were filed before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2005.