

BILL ANALYSIS

C.S.H.B. 2929
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that state law relating to hospital liens may be interpreted in more than one way with regard to whether admission to a hospital's emergency department constitutes admission to the hospital for purposes of such liens. This lack of clarity has led to Texas hospitals facing unexpected legal challenges. C.S.H.B. 2929 seeks to address this issue by clarifying that the lien law applies regardless of which hospital department provides care and by revising the amount of certain hospital liens.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2929 amends the Property Code to clarify that, for the purposes of statutory provisions relating to hospital and emergency medical services liens, an injured individual is considered admitted to a hospital if the individual is allowed access to any department of the hospital for the provision of any treatment, care, or service to the individual. The bill establishes that a hospital lien on a cause of action or claim of an individual who receives hospital services for injuries caused by an accident that is attributed to another person's negligence and who is admitted to the hospital not later than 72 hours after that accident is the lesser of the amount of the hospital's charges for services provided to the injured individual during the first 100 days of the injured individual's hospitalization or 50 percent of all amounts recovered by the injured individual through an applicable cause of action, judgment, or settlement. The bill excludes from such a hospital lien charges for which recovery by a health care service provider who violates timely billing requirements is barred under the Civil Practice and Remedies Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2929 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision changing the amount of a hospital lien on a cause of action or claim of an individual who receives hospital services for injuries caused by an accident that is attributed to another person's negligence.

The substitute includes a provision excluding from such a hospital lien charges for which recovery by a health care service provider who violates timely billing requirements is barred.