

BILL ANALYSIS

Senate Research Center
76R1733 DAK-D

S.B. 215
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Technology & Business Growth
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As Filed

DIGEST

Currently, the existing volunteer immunity law does not protect all volunteer health care providers. A volunteer serving as an officer, director, or trustee of a charitable organization is immune from civil liability for any act or omission resulting in death, damage, or injury, if the volunteer was acting in the scope of their duties. However, a volunteer health care provider who provides health care services without compensation is liable. S.B. 215 would clarify the volunteer immunity law to include certain volunteer health care providers who provide health care services without compensation.

PURPOSE

As proposed, S.B. 215 defines health care provider, and limits the liability of certain volunteer health care providers.

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 84.003, Civil Practice and Remedies Code, by amending Subdivision (2) and adding Subdivision (5), to redefine “volunteer” and to define “volunteer health care provider.”

SECTION 2. Amends Section 84.004, Civil Practice and Remedies Code, to provide that a volunteer health care provider serving as a direct service volunteer of a charitable organization is immune from civil liability for any act or omission resulting in death, damage, or injury to a patient under certain circumstances. Makes conforming and nonsubstantive changes.

SECTION 3. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 4. Emergency clause.