

BILL ANALYSIS

Senate Research Center
78R15241 PB-F

C.S.S.B. 1575
By: Carona
State Affairs
5/11/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, the Texas Workers' Compensation Commission (TWCC) is authorized to form a Medical Quality Review Panel. C.S.S.B. 1575 provides members of TWCC's Medical Quality Review Panel immunity from civil liability for an act performed or recommendation made within the scope of the functions of the panel.

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 413.0512(d), Labor Code, to provide that a person who serves on the medical quality review panel is immune from suit and from civil liability for an act performed or recommendation made within the scope of the person's functions as a member of the panel, if the person acts without malice and in the reasonable belief that the action or recommendation is warranted by the facts known to that person. Provides that a person who serves on the panel is entitled to the same protections afforded a commission member under Section 402.010 (Civil Liability of Member), in the event of a civil action brought against a member of the panel arising from the member's participation on the panel. Deletes text "in good faith as a member of the panel."

SECTION 2. Provides that Section 413.0512(d), Labor Code, as amended by this Act, applies to a member of the medical quality review panel regardless of whether the person is a member of the panel at the time the action is brought.

SECTION 3. Effective date: upon passage or September 1, 2003.