

- SUBJECT:** Changing deadlines for expert reports in health care liability claims
- COMMITTEE:** Judiciary and Civil Jurisprudence — committee substitute recommended
- VOTE:** 8 ayes — Lewis, Farrar, Farney, Hernandez Luna, Hunter, K. King, Raymond, S. Thompson
- 0 nays
- 1 absent — Gooden
- WITNESSES:** For — George Christian, Texas Civil Justice League; Jay Harvey, Texas Trial Lawyers Association; Mike Hull, Texans for Lawsuit Reform and Texas Alliance for Patient Access; (*Registered, but did not testify*: Charles Bailey, Texas Hospital Association; Dan Finch, Texas Medical Association; Dan Worthington, Texas Association of Defense Counsel)
- Against — None
- BACKGROUND:** Civil Practice and Remedies Code, 74.351(a), requires a claimant in a health-care liability case to serve defendant physicians and health-care providers with copies of expert reports not later than 120 days after the original petition is filed. It requires defendants to object to the expert reports within 21 days after the report is served.
- DIGEST:** CSHB 2843 would require a claimant to serve a defendant physician or health-care provider with copies of expert reports not later than 120 days after the defendant's answer was filed. It would require the defendant to file an objection to an expert report by the later of the 21st day after the report was served or the 21st day after the defendant's answer was filed.
- The bill would take effect September 1, 2013, and would apply to actions commenced on or after September 1, 2013.