

SUBJECT: Treating certain medical residents and fellows as governmental employees

COMMITTEE: Judiciary and Civil Jurisprudence — favorable, without amendment

VOTE: 6 ayes — Leach, Farrar, Y. Davis, Julie Johnson, Smith, White

0 nays

3 absent — Krause, Meyer, Neave

SENATE VOTE: On final passage, April 26 — 30-0, on Local and Uncontested Calendar

WITNESSES: *On House companion bill, HB 3182:*

For — (*Registered, but did not testify*: Maureen Milligan, Teaching Hospitals of Texas; Lee Parsley, Texans for Lawsuit Reform; George Christian, Texas Civil Justice League; Dan Finch, Texas Medical Association; Jill Sutton, Texas Osteopathic Medical Association)

Against — None

On — (*Registered, but did not testify*: Melissa Pifko, University of Texas Health Science Center Houston)

BACKGROUND: Some have suggested that recent court decisions make it unclear whether residents and fellows in graduate medical training programs sponsored by governmental units whose positions are funded through foundations are considered employees of the governmental units for purposes of determining whether the residents or fellows receive certain tort claims liability protection.

DIGEST: SB 1755 would include residents or fellows in graduate medical training programs that were sponsored by governmental units as employees of the governmental units regardless of the method or source of payment of the residents or fellows.

The bill would take immediate effect if finally passed by a two-thirds

SB 1755
House Research Organization
page 2

record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.