

**SUBJECT:** Allowing chiropractors as expert witnesses for health care liability claims

**COMMITTEE:** Judiciary & Civil Jurisprudence — favorable, without amendment

**VOTE:** 9 ayes — Leach, Julie Johnson, Davis, Flores, Moody, Murr, Schofield, Slawson, Vasut

0 nays

**WITNESSES:** For — Thomas Hollingsworth, D.C., Texas Chiropractic Association; Jack Walker, Texas Trial Lawyers Association (*Registered, but did not testify*; Ware Wendell, Texas Watch; Liinda Durnin; Ingrid Warren)

Against — (*Registered, but did not testify*; Jon Opelt, Texas Alliance for Patient Access)

**BACKGROUND:** Civil Practice and Remedies Code sec. 74.351 requires a claimant to serve the opposing party with one or more expert reports in a health care liability claim. Sec. 74.351(r)(5) provides a list of acceptable experts for certain types of testimony. Sec. 74.403 sets certain qualifications for expert witnesses on causation in health care liability claims.

Some have suggested that chiropractors should be authorized to serve as an expert witness on causation in a malpractice suit concerning chiropractic care.

**DIGEST:** HB 1791 would amend Civil Practice and Remedies Code sec. 74.351(r)(5) to include chiropractors or physicians who was otherwise qualified to render opinions on the causal relationship between an injury, harm, or damages claimed and the alleged departure from the applicable standard of care for a chiropractor. The bill also would make conforming changes to Civil Practice and Remedies Code sec. 74.403.

The bill would take effect September 1, 2023. It would only apply to actions commenced on or after the effective date.