

## **BILL ANALYSIS**

Senate Research Center  
77R8433 PB-F

S.B. 1106  
By: Bernsen  
Health & Human Services  
3/26/2001  
As Filed

### **DIGEST AND PURPOSE**

The Medical Liability and Insurance Improvement Act was enacted in 1977 in response to the medical malpractice insurance crisis. At that time nurses, hospitals, dentists, podiatrists, and pharmacists were included in the Act, but optometrists were not included at the time because the incidence of malpractice suits was low and it was thought that adding them to the Act might increase the number of optometry malpractice claims rather than lower them. As proposed, S.B. 1106 adds optometrists and therapeutic optometrists to the list of health care providers covered by the Act so that malpractice suits for optometrists follow the same track as suits filed against other health care providers.

### **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 1.03(a)(3), Medical Liability and Insurance Improvement Act of Texas (Article 4590i, V.T.C.S.), to redefine "health care provider" to include an optometrist or therapeutic optometrist.

SECTION 2. Effective date: September 1, 2001.  
Makes application of this Act prospective.