

1 AN ACT

2 relating to allowing the Texas Medical Disclosure Panel to hold
3 hearings by telecommunication methods.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 74.102(f), Civil Practice and Remedies
6 Code, is amended to read as follows:

7 (f) Meetings of the panel shall be held at the call of the
8 chairman or on petition of at least three members of the panel.
9 Notwithstanding Chapter 551, Government Code, or any other law, if
10 any member of the panel is physically present at a meeting, any
11 number of the other members of the panel may attend the meeting by
12 use of telephone conference call, videoconferencing, or other
13 similar telecommunication method for purposes of establishing a
14 quorum or voting or for any other meeting purpose allowing a panel
15 member to fully participate in any panel meeting. This subsection
16 applies without regard to the subject matter discussed or
17 considered by the panel at the meeting. A meeting held by telephone
18 conference call, videoconferencing, or other similar
19 telecommunication method:

20 (1) is subject to the notice requirements applicable
21 to other meetings of the panel;

22 (2) may not be held unless the notice of the meeting
23 specifies the location of the meeting at which a member of the panel
24 will be physically present;

1 (3) must be open to the public and audible to the
2 public at the location specified in the notice under Subdivision
3 (2); and

4 (4) must provide two-way audio communication between
5 all panel members attending the meeting during the entire meeting,
6 and, if the two-way audio communication link with any member
7 attending the meeting is disrupted at any time, the meeting may not
8 continue until the two-way audio communication link is
9 reestablished.

10 SECTION 2. The change in law made by this Act applies only
11 to a meeting of the Texas Medical Disclosure Panel that occurs on or
12 after the effective date of this Act. A meeting of the panel that
13 occurs before the effective date of this Act is governed by the law
14 in effect immediately before that date, and that law is continued in
15 effect for that purpose.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2005.

David Newkum

President of the Senate

Jim Coakley

Speaker of the House

I certify that H.B. No. 2476 was passed by the House on May 9, 2005, by the following vote: Yeas 144, Nays 0, 3 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 2476 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Lacey Spaul

Secretary of the Senate

APPROVED:

18 JUNE '05

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM O'CLOCK

JUN 18 2005

Roger Williams
Secretary of State