

# **SOUTHEAST TEXAS RECORD**

Monday, March 27, 2003



## **HB 955 seeks to amend Texas Civil Code, cut affidavits for medical bills under \$50K**

By Staff reports  
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AUSTIN - A piece of legislation seeking to eliminate affidavits for medical bills under \$50,000 in lawsuits was recently heard by the House Committee for Judiciary & Civil Jurisprudence.

On Dec. 8, Rep. Harold Dutton, Jr. introduced House Bill 955, which relates “to affidavits concerning cost and necessity of services in civil actions.”

As currently written, HB 955 seeks to amend the Texas Civil Code to read that if a claimant offers into evidence a medical bill totaling \$50,000 or less, an affidavit is not necessary to support a finding of fact by a judge or jury that the amount charged was reasonable or that the service was necessary.

The committee heard the bill on March 23, during which Dutton said HB 955 was not the bill he wanted drafted and that what he was trying to do was introduce legislation that would cut expenses for cases seeking \$50,000 or less because the cost of an expert can exceed the value of the case.

Dutton added that we would like a committee substitute for HB 955.

Some of the witnesses called to testify did not do so, opting to wait for the committee substitute.

The Record received the written testimony of Jon Opelt, executive director for Texas Alliance for Patient Access, in which he states that “HB 955 offers no evidence that the current system is burdensome or needs to be changed.”

“HB 955 merely reduces the work required by a plaintiff’s counsel at the expense of the Texas civil justice system and traditional procedures that have been followed for hundreds of years,” Opelt said in his written testimony.

At worst, Opelt says HB 955 protects medical providers who churn billing to increase the case’s value.

The bill was left pending.