

CHAPTER 255

S.B. No. 203

AN ACT

relating to the regulation of the practice of dentistry.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Article 4551i, Revised Statutes, is amended to read as follows:

Art. 4551i. CIVIL IMMUNITY—PEER REVIEW, JUDICIAL OR GRIEVANCE COMMITTEES. In the absence of fraud, conspiracy, or malice, the ~~[elected]~~ members of the dental peer review, judicial or grievance committees of a dental society or association which is incorporated pursuant to the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes) or which is exempt from the payment of federal income taxes pursuant to Section 501 (c) of the Internal Revenue Code of 1986 ~~[has not less than 75 percent of the licensed dentists in such area as members,~~] shall not be subject to suit or suits for damages for alleged injury, wrong, loss, or damage for and while performing duties of investigating disagreements or complaints, holding hearings to determine facts, or in making evaluations, recommendations, decisions, or awards involving dentists ~~[,] who are members of such dental society or association or other dentists,~~ dental patients and/or third parties who request the services of such committees. ~~[The Texas State Board of Dental Examiners shall determine the various areas and shall certify the percentage requirements from its records of the dental licensees in such area or areas.]~~ This immunity is enacted to relieve and protect the persons named herein from being harassed and threatened with legal action while attempting to perform required duties.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 2, 1987, by the following vote: Yeas 25, Nays 0. Passed the House on May 15, 1987, by the following vote: Yeas 144, Nays 0, one present not voting.

Approved May 28, 1987.

Effective May 28, 1987.