



DEFENDANTS HAVE MANY, MANY TOOLS

After more than four decades of tort “reform” in Texas, **defendants have tool after tool at their disposal** under the law.

Chapter 18 of the Civil Practice and Remedies Code requires medical costs to be “reasonable” and medical treatment to be “necessary.” *In re Allstate*, decided by the Supreme Court of Texas in 2021, enables non-doctors, such as billing experts and nurses, to provide expert testimony on these matters, reducing any burden on defendants. The *In re K&L Auto Crushers* case, decided the same year, extends a defendant's ability to investigate the reasonableness of a plaintiff's medical charges through discovery.

Courts know how to handle medical evidence and routinely dispose of cases where insufficient evidence is presented. For example, the Fourteenth Court of Appeals in Houston did just that earlier this month in the *Blanco, et al. v. Barton case*, affirming a “take-nothing” judgment in a personal injury case where the jury found the plaintiffs suffered no compensable injuries.

Furthermore, defendants can make an offer of settlement under **Rule 167** and recover litigation costs if the plaintiff wrongly rejects it. Any baseless suits are dismissed immediately under **Rule 91a**.

Defendants in Texas have so many special protections and procedures available to them under the law. SB 30 puts a heavy thumb on the scales of justice, harming plaintiffs who have been hurt through no fault of their own. Injured Texans must have the ability to prove and recover their damages through our courts. **Please OPPOSE SB 30.**

SB 30 IS NOT NEEDED

CHAPTER 18



IN RE ALLSTATE



IN RE K&L AUTO



BLANCO V. BARTON



RULE 167



RULE 91A

