

SUPREME COURT OF TEXAS

Wichita Falls State Hospital v. Taylor

106 S.W.3d 692 (Tex. 2003) · No. No. 01-0491 · Decided March 6, 2003

SUMMARY

The Supreme Court of Texas held that Texas Health and Safety Code section 321.003, concerning violations of the patient's bill of rights, did not clearly and unambiguously waive the State's sovereign immunity from suit. The court reversed the court of appeals and dismissed the plaintiff's wrongful-death and survival claims against Wichita Falls State Hospital for want of jurisdiction.

CASE DETAILS

COURT	Supreme Court of Texas
WRITING FOR THE COURT	Justice Jefferson
JURISDICTION	Texas
DECIDED	March 6, 2003
DOCKET	No. 01-0491
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Interlocutory appeal from the denial of Wichita Falls State Hospital's plea to the jurisdiction based on sovereign immunity in a wrongful-death and survival action under Texas Health and Safety Code section 321.003.
STANDARD OF REVIEW	The court reviewed de novo the jurisdictional issue concerning sovereign immunity and whether the Legislature clearly and unambiguously waived immunity from suit.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Wichita Falls State Hospital v. Deborah D. Taylor, individually and as heir of the Estate of Terry Lynn Taylor

TOPICS

- health law
- statutory interpretation
- wrongful death
- civil procedure

PRACTICE AREAS

- health law
- sovereign immunity
- statutory interpretation
- wrongful death
- civil procedure

QUESTIONS PRESENTED

1. Whether Texas Health and Safety Code section 321.003 clearly and unambiguously waives the State's sovereign immunity from suit for violations of the patient's bill of rights.
2. Whether the incorporation of the definition of "mental health facility" from section 571.003 into chapter 321 constitutes a waiver of sovereign immunity for claims against state-operated mental health facilities.
3. Whether the Hospital's plea to the jurisdiction should be granted and Taylor's claims dismissed for want of jurisdiction.

HOLDINGS

1. Section 321.003 does not clearly and unambiguously waive the State's sovereign immunity from suit. The phrase permitting a harmed person to sue a mental health facility, together with the incorporated definition that includes state-operated facilities, is insufficient to establish an unmistakable legislative consent to suit against the State.
2. Because the State retained sovereign immunity from suit, the Hospital's jurisdictional challenge must be sustained and Taylor's claims dismissed for want of jurisdiction.

KEY QUOTATIONS

"It is settled in Texas that for the Legislature to waive the State's sovereign immunity, a statute or resolution must contain a clear and unambiguous expression of the Legislature's waiver of immunity." (106 S.W.3d at 696)

"The statute's ambiguity precludes our finding an unmistakable Legislative intent to waive sovereign immunity." (106 S.W.3d at 701)

"For the foregoing reasons, we reverse the court of appeals' judgment and dismiss Taylor's claims for want of jurisdiction." (106 S.W.3d at 702)

FACTUAL BACKGROUND

Terry Lynn Taylor was involuntarily committed to Wichita Falls State Hospital for severe mental illness. He was discharged four days later after treatment by a hospital psychiatrist and committed suicide that same day. His wife, Deborah Taylor, alleged that negligent diagnosis and treatment and violations of the patient's bill of rights proximately caused his death.

PROCEDURAL HISTORY

Deborah Taylor sued Wichita Falls State Hospital and Dr. Peter Fadow for wrongful death and survival claims arising from Terry Lynn Taylor's suicide after discharge from the hospital. The Hospital moved to dismiss for want of jurisdiction based on sovereign immunity, but the trial court denied the plea. A divided court of appeals affirmed, and the Supreme Court of Texas granted review to decide whether section 321.003 waived the State's sovereign immunity.

DISPOSITION

REMAND INSTRUCTIONS

The court reversed the court of appeals' judgment and directed dismissal of Taylor's claims for want of jurisdiction. The opinion does not state a remand to the trial court, so the disposition is more precisely a reversal followed by dismissal.

CASES CITED

- Hosner v. De Young, 1 Tex. 764, 769 (1847)
- Beers v. Arkansas, 61 U.S. 527, 529, 20 How. 527, 15 L.Ed. 991 (1857)
- Fed. Sign v. Tex. S. Univ., 951 S.W.2d 401, 405, 413-17 (Tex. 1997)
- Alden v. Maine, 527 U.S. 706, 759 (1999)
- Cramer v. Sheppard, 140 Tex. 271, 167 S.W.2d 147, 153-54 (1943)
- Tex. Boll Weevil Eradication Found., Inc. v. Lewellen, 952 S.W.2d 454, 465-66 (Tex. 1997)
- Tex. Natural Res. Conservation Comm'n v. IT-Davy, 74 S.W.3d 849, 853-54 (Tex. 2002)
- Guillory v. Port of Houston Auth., 845 S.W.2d 812, 813-14 (Tex. 1993)
- Duhart v. State, 610 S.W.2d 740, 741-43 (Tex. 1980)
- Lowe v. Tex. Tech Univ., 540 S.W.2d 297, 298 (Tex. 1976)
- Tex. Dep't of Criminal Justice v. Miller, 51 S.W.3d 583, 593 (Tex. 2001) (Hecht, J., concurring)
- Tex. Dep't of Transp. v. Jones, 8 S.W.3d 636, 638-39 (Tex. 1999)
- Univ. of Tex. Med. Branch at Galveston v. York, 871 S.W.2d 175, 177 (Tex. 1994)
- City of LaPorte v. Barfield, 898 S.W.2d 288, 291-92, 295, 297, 299 (Tex. 1995)
- Kerrville State Hosp. v. Fernandez, 28 S.W.3d 1, 6, 8-10 (Tex. 2000)
- Travis County v. Pelzel & Assocs., Inc., 77 S.W.3d 246, 249-50 (Tex. 2002)
- Magnolia Petroleum Co. v. Walker, 125 Tex. 430, 83 S.W.2d 929, 934 (1935)
- United States v. Williams, 514 U.S. 527, 531 (1995)
- Tex. Educ. Agency v. Leeper, 893 S.W.2d 432, 446 (Tex. 1994)
- Tex. Dep't of Mental Health & Mental Retardation v. Lee, 38 S.W.3d 862, 870-71 (Tex. App.—Fort Worth 2001, pet. filed)
- Cent. Counties Ctr. for Mental Health & Mental Retardation Servs. v. Rodriguez, 45 S.W.3d 707, 711-13 (Tex. App.—Austin 2001, pet. filed)
- Beaumont State Ctr. v. Kozlowski, 70 S.W.3d 345, 349 (Tex. App.—Beaumont 2002, pet. filed)
- Spindletop MHMR v. Doe, 54 S.W.3d 893, 897 (Tex. App.—Beaumont 2001, pet. filed)
- United States v. Sherwood, 312 U.S. 584, 587-88 (1941)