

# IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 13-**9043**

## CORRECTION TO AMENDMENT TO RULE OF EVIDENCE 902

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**ORDERED** that:

1. The amendment to Rule of Evidence 902(10) promulgated by Order dated February 12, 2013, in Misc. Docket No. 13-9022, is corrected as follows, effective immediately.

2. **Rule 902. Self-Authentication**

...

(10) **Business Records Accompanied by Affidavit.**

...

(c) *Medical expenses affidavit.*


...

**Comment to 2013 Change:** Rule 902(10)(c) is added to provide a form affidavit for proof of medical expenses. The affidavit is intended to comport with Section 41.0105 of the Civil Practice and Remedies Code, which allows evidence of only those medical expenses that have been paid or will be paid, after any required credits or adjustments. *See Haygood v. Escabedo*, 356 S.W.3d 390 (Tex. 2011). The records attached to the affidavit must also meet the admissibility standard of *Haygood*. 356 S.W.3d at 399-400 (“[O]nly evidence of recoverable medical expenses is admissible at trial.”).

3. The Clerk is directed to:

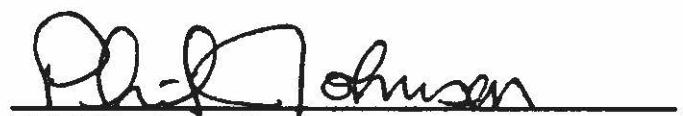
- a. file a copy of this Order with the Secretary of State;
- b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
- c. send a copy of this Order to each elected member of the Legislature; and
- d. submit a copy of the Order for publication in the *Texas Register*.

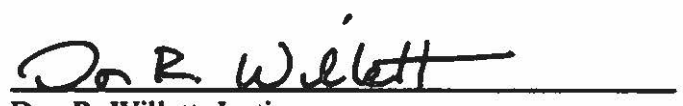
Dated: March ~~26~~<sup>27</sup>, 2013

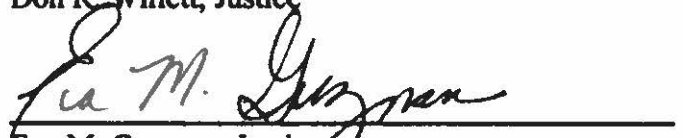
  
Wallace B. Jefferson, Chief Justice

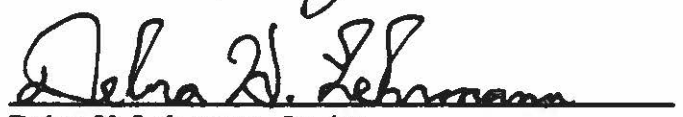
  
Nathan L. Hecht, Justice

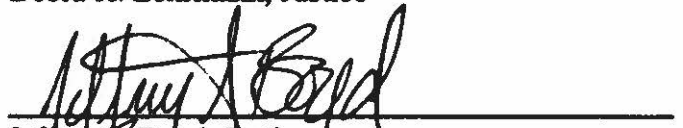
  
Paul W. Green, Justice

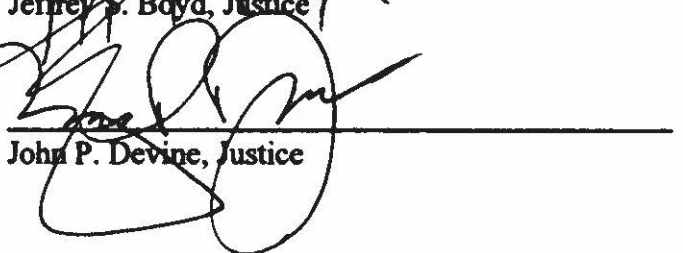
  
Phil Johnson, Justice

  
Don R. Willett, Justice

  
Eva M. Guzman, Justice

  
Debra H. Lehrmann, Justice

  
Jeffrey S. Boyd, Justice

  
John P. Devine, Justice