Notes of Decisions

1. Immunity

Under Texas law, doctrine of governmental immunity barred claims brought against officials of university's medical branch in official capacities by tenured professor for defamation, tortious interference with beneficial relations and tortious interference with contract; university's medical branch was arm of state, and there was no showing that state had consented to professor's suit. Bessman v. Powell, S.D.Tex.1998, 991 F. Supp. 830, affirmed in part 189 F.3d 469.

§ 74.002. Jennie Sealy Hospital; R. Waverly Smith Pavilion

(a) The Jennie Sealy Hospital and the R. Waverly Smith Pavilion shall be operated by the medical branch as integral parts of its hospital operations.

(b) Title to those facilities shall remain in the name of the Sealy-Smith Foundation; and the property may be leased to, but shall not be sold to, the medical branch or to The University of Texas System. The Board of Regents of The University of Texas System has the sole authority to execute such lease or leases with the Sealy-Smith Foundation relating to the Jennie Sealy Hospital and the R. Waverly Smith Pavilion under such terms and conditions as the board considers to be in the best interests of the medical branch.

(c) Except as otherwise provided in this section, the land on which Jennie Sealy Hospital is situated (Lots 11, 12, 13, and 14, Block 667, city of Galveston, Galveston County, Texas, conveyed to the Sealy-Smith Foundation by the board of regents) shall be used as the site of the Jennie Sealy Hospital, and in the event the land is not so utilized the title reverts to the board of regents.

(d) By agreement between the board of regents of The University of Texas System and the trustees of the Sealy-Smith Foundation, the purpose or use of these facilities may be changed to any other purpose or use consistent with the purposes of the foundation and with the operation of a medical school.


Historical and Statutory Notes


Library References

Hospitals §§ 2.
Westlaw Topic No. 204.
C.J.S. Hospitals §§ 6, 8.

§ 74.003. Land Acquisition

The board may acquire by donation or deed of gift, for the use and benefit of the medical branch, any and all properties contiguous or adjacent, or both, to the campus of the medical branch when the lands are deemed necessary for campus expansion.