

By: Anderson, Guillen, Stucky, Buckley,  
Rogers, et al.

H.B. No. 3442

Substitute the following for H.B. No. 3442:

By: Cyrier

C.S.H.B. No. 3442

A BILL TO BE ENTITLED

AN ACT

relating to complaints filed with the State Board of Veterinary  
Medical Examiners.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 801.207, Occupations Code, is amended by  
amending Subsections (b) and (c) and adding Subsections (b-1),  
(b-2), and (b-3) to read as follows:

(b) Except as provided by Subsections (b-1) and (b-2), each  
~~Each~~ complaint, investigation file and record, and other  
investigation report and all other investigative information in the  
possession of or received or gathered by the board or the board's  
employees or agents relating to a license holder, an application  
for license, or a criminal investigation or proceeding is  
privileged and confidential and is not subject to discovery,  
subpoena, or other means of legal compulsion for release to anyone  
other than the board or the board's employees or agents involved in  
discipline of a license holder.

(b-1) The board shall provide a copy of each complaint to  
the license holder who is the subject of the complaint not later  
than the 14th day before the date any response is due, unless  
providing a copy of the complaint would jeopardize an  
investigation. The board may not require the license holder to  
request a copy of the complaint.

(b-2) The board shall provide to the complainant a copy of

1 any response to the complaint the license holder provides not later  
2 than the 14th day after the date the board receives the response,  
3 unless providing the copy would jeopardize an investigation or the  
4 act alleged in the complaint is not under the board's jurisdiction.  
5 If the board provides a copy of a response to a complainant, the  
6 board shall include with the copy notice of the complainant's  
7 opportunity to rebut the license holder's response.

8 (b-3) The board is not required to provide a copy of the  
9 complaint under Subsection (b-1) or a license holder's response  
10 under Subsection (b-2) for a complaint initiated by the board.

11 (c) Except as provided by Subsection (b-1), the [The] board  
12 shall protect the identity of a complainant to the extent possible.

13 SECTION 2. Section 801.207, Occupations Code, as amended by  
14 this Act, applies only to a complaint filed with the State Board of  
15 Veterinary Medical Examiners on or after the effective date of this  
16 Act. A complaint filed with the board before the effective date of  
17 this Act is governed by the law in effect on the date the complaint  
18 was filed, and the former law is continued in effect for that  
19 purpose.

20 SECTION 3. This Act takes effect September 1, 2021.