

By: A. Johnson of Harris

H.B. No. 4671

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a pilot program to provide telemedicine medical services to certain cancer patients receiving pain management services and supportive palliative care.

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

SECTION 1. Subtitle B, Title 2, Health and Safety Code, is amended by adding Chapter 44 to read as follows:

CHAPTER 44. PILOT PROGRAM TO PROVIDE TELEMEDICINE MEDICAL SERVICES  
TO CERTAIN CANCER PATIENTS

Sec. 44.001. DEFINITIONS. In this chapter:

(1) "Center" means The University of Texas M. D. Anderson Cancer Center.

(2) "Health care provider" means a person other than a physician who is licensed, certified, or otherwise authorized by the laws of this state to provide or render health care or to dispense or prescribe a prescription drug in the ordinary course of business or practice of a profession.

(3) "Physician" means a person licensed to practice medicine in this state under Subtitle B, Title 3, Occupations Code.

(4) "Pilot program" means the pilot program established under this chapter.

(5) "Supportive palliative care" has the meaning assigned by Section [142A.0001](#).

(6) "Telemedicine medical service" has the meaning

1 assigned by Section 111.001, Occupations Code.

2 Sec. 44.002. ESTABLISHMENT OF PILOT PROGRAM. (a) The  
3 center shall develop and implement a pilot program authorizing a  
4 physician or other health care provider to prescribe, through a  
5 telemedicine medical service, drugs for pain management or  
6 supportive palliative care to a patient with a current or previous  
7 cancer diagnosis and to provide other telemedicine medical services  
8 to those patients.

9 (b) For purposes of a drug prescribed under the pilot  
10 program, Section 481.07636 and any rule adopted by the Texas  
11 Medical Board prohibiting or limiting the prescribing of opioids or  
12 other treatment of chronic pain through the provision of a  
13 telemedicine medical service do not apply.

14 Sec. 44.003. REPORT. Not later than January 1, 2023, the  
15 center shall prepare and submit to the legislature and the Texas  
16 Medical Board a written report on the pilot program that includes:

17 (1) the number of patients who receive pain management  
18 services or supportive palliative care through telemedicine  
19 medical services under the pilot program;

20 (2) an estimate of patient attendance rates during the  
21 two biennia preceding August 31, 2021, for scheduled in-person  
22 visits compared to telemedicine medical service appointments for  
23 pain management services or supportive palliative care;

24 (3) an evaluation of and recommendations for  
25 improvements to the pilot program; and

26 (4) recommendations for the expansion of the pilot  
27 program.

1        Sec. 44.004. EXPIRATION. The pilot program terminates and  
2 this chapter expires August 31, 2023.

3        SECTION 2. As soon as practicable after the effective date  
4 of this Act, The University of Texas M. D. Anderson Cancer Center  
5 shall develop and implement the pilot program as required by  
6 Chapter 44, Health and Safety Code, as added by this Act.

7        SECTION 3. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2021.