

By: Powell

S.B. No. 1857

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of temporary licenses for certain out-of-state health care practitioners for a charitable purpose.

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

SECTION 1. Subtitle A, Title 3, Occupations Code, is amended by adding Chapter 117 to read as follows:

CHAPTER 117. TEMPORARY LICENSE FOR CERTAIN

OUT-OF-STATE HEALTH CARE PRACTITIONERS FOR CHARITABLE PURPOSE

Sec. 117.001. DEFINITIONS. In this chapter:

(1) "Health care practitioner" has the meaning assigned by Section 112.001.

(2) "Licensing entity" has the meaning assigned by Section 112.001.

(3) "Volunteer charity health care services" means health care services provided by a health care practitioner without compensation.

Sec. 117.002. APPLICABILITY. This chapter applies only to a licensing entity or health care practitioner regulated under:

(1) Chapter 204;

(2) Subchapter B, Chapter 256;

(3) Subtitle E; or

(4) Chapter 351.

Sec. 117.003. REQUIREMENTS FOR TEMPORARY LICENSE FOR CHARITABLE PURPOSE. (a) Each licensing entity under this chapter

1 shall adopt rules providing for the issuance of temporary licenses
2 that authorize the license holders to provide voluntary charity
3 health care services. The term of the license may not exceed seven
4 days.

5 (b) If an applicant for a temporary license under this
6 chapter has an unacceptable licensing or criminal history, the
7 licensing entity may not issue a temporary license to the applicant
8 and the applicant may not provide voluntary charity health care
9 services.

10 (c) Each licensing entity by rule shall provide for adequate
11 supervision of each health care practitioner issued a temporary
12 license under this chapter by a health care practitioner licensed
13 under the laws of this state in the applicable profession.

14 (d) A health care practitioner issued a temporary license
15 under this chapter shall:

16 (1) limit the health care practitioner's practice to
17 only voluntary charity health care services within the scope of
18 practice of the applicable license;

19 (2) practice only in a geographic area specified by
20 the license; and

21 (3) practice only for the period specified by the
22 license.

23 SECTION 2. The Texas Medical Board, the State Board of
24 Dental Examiners, the Texas Board of Nursing, and the Texas
25 Optometry Board shall actively seek and apply for any available
26 federal financial assistance to support development and
27 implementation of temporary short-term licensing programs under

1 this chapter, including grants made available to states under the
2 Coronavirus Aid, Relief, and Economic Security Act (15 U.S.C.
3 Section 9001 et seq.) and the Consolidated Appropriations Act, 2021
4 (Pub. L. No. 116-260), and any other federal legislation to support
5 the provision of health care services in underserved areas during a
6 state of disaster declared under Chapter 418, Government Code,
7 related to the 2019 novel coronavirus disease.

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