

By: Allison

H.B. No. 4346

A BILL TO BE ENTITLED

AN ACT

relating to joint practice by certain health care professionals.

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

SECTION 1. Sections 301.012(a-1), (a-2), (a-3), (a-6), and (a-7), Business Organizations Code, are amended to read as follows:

(a-1) Persons licensed as physicians under Subtitle B, Title 3, Occupations Code, ~~and~~ persons licensed as physician assistants under Chapter 204, Occupations Code, and persons licensed as advanced practice registered nurses under Subtitle E, Title 3, Occupations Code, may form and own a professional association or a professional limited liability company to perform professional services that fall within the scope of practice of those practitioners.

(a-2) A physician assistant or an advanced practice registered nurse may not be an officer in the professional association or limited liability company.

(a-3) A physician assistant or an advanced practice registered nurse may not contract with or employ a physician to be a supervising physician of the physician assistant or advanced practice registered nurse or of any physician in the professional association or limited liability company.

(a-6) A physician assistant, an advanced practice registered nurse, or a combination of physician assistants or advanced practice registered nurses may have only a minority

1 ownership interest in an entity created under this section. The  
2 ownership interest of an individual physician assistant may not  
3 equal or exceed the ownership interest of any individual physician  
4 owner. A physician assistant or combination of physician assistants  
5 may not interfere with the practice of medicine by a physician owner  
6 or the supervision of physician assistants by a physician owner.

7 (a-7) The Texas Medical Board, ~~[and]~~ the Texas Physician  
8 Assistant Board, and the Texas Board of Nursing continue to  
9 exercise regulatory authority over their respective license  
10 holders according to applicable law. To the extent of a conflict  
11 between Subtitle B, Title 3, Occupations Code, and Chapter 204,  
12 Occupations Code, or any rules adopted under those statutes,  
13 Subtitle B, Title 3, or a rule adopted under that subtitle controls.

14 SECTION 2. This Act takes effect September 1, 2023.