

By: Blanco

S.B. No. 2256

A BILL TO BE ENTITLED

AN ACT

relating to the verification of health care practitioner continuing education compliance through the establishment of continuing education tracking systems.

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

SECTION 1. Chapter 112, Occupations Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. CONTINUING EDUCATION REQUIREMENTS

Sec. 112.101. DEFINITIONS. In this subchapter:

(1) "Continuing education course" means a course, clinic, forum, lecture, program, or seminar that an individual must complete in order to maintain or renew a license.

(2) "Continuing education provider" means a person or entity authorized by an licensing entity to offer continuing education courses.

(3) "Continuing education tracking system" means an electronic system established by a licensing entity as required by Section 112.104.

(4) "License" means a license, certificate, registration, permit, or other form of authorization that:

(A) is issued by a licensing entity; and

(B) an individual must obtain to engage in a particular business, occupation, or profession.

Sec. 112.102. APPLICABILITY. This subchapter applies only

1 to a licensing entity that issues a license to a health care
2 practitioner.

3 Sec. 112.103. CONTINUING EDUCATION COMPLIANCE REQUIRED FOR
4 LICENSE RENEWAL. (a) Notwithstanding any other law, a licensing
5 entity may not renew a health care practitioner's license unless
6 the licensing entity verifies that the health care practitioner has
7 complied with all continuing education requirements of the
8 licensing entity.

9 (b) Verification of an applicant's compliance with
10 continuing education requirements that is generated by the
11 continuing education tracking system:

12 (1) satisfies the requirement of Subsection (a); and
13 (2) shall be used for all audits of health care
14 practitioners conducted by the licensing entity.

15 (c) This section does not prohibit a licensing entity from
16 imposing penalties under applicable statutes or rules for a health
17 care practitioner's failure to comply with continuing education
18 requirements.

19 Sec. 112.104. CONTINUING EDUCATION TRACKING SYSTEM;
20 REQUIRED FUNCTIONS. Each licensing entity by rule shall establish
21 a continuing education tracking system for universal use and
22 accessibility by health care practitioners, licensing entity
23 staff, and continuing education providers.

24 Sec. 112.105. DATA AND SYSTEMS REQUIREMENTS. (a) A
25 continuing education tracking system may collect and use only:

26 (1) information that directly relates to a health care
27 practitioner's compliance with continuing education requirements,

1 including:

2 (A) the name in which the health care
3 practitioner's license is issued;

4 (B) the health care practitioner's license
5 number;

6 (C) the license issue date;

7 (D) the license expiration date; and

8 (E) any other information disclosed to the public
9 in response to a license verification request; and

10 (2) other information designated by licensing entity
11 rule as necessary for the system's performance of a function
12 required by this subchapter.

13 (b) A continuing education tracking system established
14 under Section 112.104 must:

15 (1) use technology that, after initial purchase, will
16 not result in any ongoing cost to the licensing entity;

17 (2) if the continuing education tracking system is a
18 cloud-based system, be certified under the state risk and
19 authorization management program established under Section
20 2054.0593, Government Code; and

21 (3) comply with the Americans with Disabilities Act of
22 1990 (42 U.S.C. Section 12101 et seq.) to enable the public to
23 search the tracking system.

24 Sec. 112.106. RULEMAKING. A licensing entity shall adopt
25 rules necessary to implement this subchapter.

26 SECTION 2. Each licensing entity required under this Act to
27 implement a continuing education tracking system shall implement

1 the tracking system not later than December 31, 2024.

2 SECTION 3. This Act takes effect September 1, 2023.