

Amend **CSSB 104** by adding the following appropriately numbered SECTION and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subtitle B, Title 3, Occupations Code, is amended by adding Chapter 166 to read as follows:

CHAPTER 166. OFFICE OF PATIENT ADVOCATE

Sec. 166.001. ESTABLISHMENT OF OFFICE. The office of patient advocate is created as an independent office to represent the interests of consumers who are patients of physicians in this state.

Sec. 166.002. APPOINTMENT OF ADVOCATE. (a) The governor, with the advice and consent of the senate, shall appoint a patient advocate who shall be responsible for carrying out the provisions of this chapter.

(b) The patient advocate may not:

(1) be licensed to practice medicine;

(2) be financially involved in any organization that is subject to regulation by the board; or

(3) be a provider of health care.

Sec. 166.003. FUNDING OF OFFICE. To provide funding sufficient for the office of patient advocate to exercise the office's powers and duties, the initial registration permit and renewal of registration permit fees for each physician under this subtitle are increased by \$10. The fees collected under this section may be used only to fund the activities of the office of patient advocate.

Sec. 166.004. POWERS AND DUTIES. (a) The office of patient advocate may:

(1) appear or intervene before the board on behalf of consumers as a class;

(2) recommend necessary legislative and regulatory changes; and

(3) appeal a board decision on behalf of consumers as a class.

(b) The office of patient advocate shall serve as the liaison between consumer complainants and the board. The office shall assist a consumer in obtaining information about the status of the consumer's complaint.

(c) The office of patient advocate is entitled to access to complaints and board records that are available to any party, other than board staff, in a proceeding before the board.

(d) The confidentiality requirements that apply to the board also apply to the office of patient advocate.