

Amend CSSB 104 as follows:

(1) Insert the following appropriately numbered SECTION of the bill:

SECTION ____ . Section 151.002(a)(2), Occupations Code, is amended to read as follows:

(2) "Continuing threat to the public welfare" means a real [~~and present~~] danger to the health of a physician's patients or to the public from the acts or omissions of the physician caused through the physician's lack of competence, impaired status, or failure to care adequately for the physician's patients, as determined by:

(A) the board;

(B) a medical peer review committee in this state;

(C) a physician licensed to practice medicine in this state or otherwise lawfully practicing medicine in this state;

(D) a physician engaged in graduate medical education or training; or

(E) a medical student.

(2) In SECTION 28 of the bill, in amended Section 164.059(b), Occupations Code (committee printing page 8, lines 62 through 64), strike "unrestricted practice, constitute a real danger to the health or safety of the person's patients [~~continuing threat to the public welfare~~]" and substitute "practice, constitute a continuing threat to the public welfare".

(3) In SECTION 28 of the bill, in proposed Section 164.059(g), Occupations Code, in the last sentence of that subsection (committee printing page 9, line 39), strike "facts known to the board" and substitute "facts presented by the board".

(4) Renumber the sections of the bill appropriately.