

## **BILL ANALYSIS**

H.B. 1592  
By: Nixon  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In past committee hearings, we have heard testimony from victims where a doctor had operated or treated a patient while under the influence of alcohol or drugs. The intent of this bill is to make such behavior by medical professionals a criminal offense -- when the life or health of a patient is endangered. Such conduct should not be tolerated, and should be treated as criminal behavior. A person who drives while intoxicated and injures or kills someone is subject to criminal punishment—a medical professional who injures or kills a patient while intoxicated should be treated similarly. House Bill 1592 makes it an offense for a person licensed or regulated under the Medical Practice Act to perform a procedure while intoxicated.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

House Bill 1592 makes it an offense for a person licensed or regulated under the Medical Practice Act to perform a procedure while intoxicated. The offense is a state jail felony.

### **EFFECTIVE DATE**

September 1, 2003.