

By: Capelo

H.B. No. 2985

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an office of patient protection within the Health Professions Council.

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

SECTION 1. Chapter 101, Occupations Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. OFFICE OF PATIENT PROTECTION

Sec. 101.301. GENERAL PROVISIONS. (a) In this subchapter:

(1) "Licensing agency" means a health occupation regulatory agency that is a member of the council.

(2) "Office" means the office of patient protection.

(b) The council shall establish an office of patient protection.

Sec. 101.302. PUBLIC INFORMATION PROVIDED BY OFFICE. (a) The office shall provide to the public information about the complaint process at each licensing agency.

(b) The office shall conduct a public awareness campaign to increase awareness of the telephone complaint system under Subchapter B.

(c) Through the use of the Internet and other information and communications media, the office shall provide information to the public in easily understood language regarding the complaint procedures and sanctions processes used by the licensing agencies.

Sec. 101.303. ASSISTANCE TO PUBLIC. (a) The office shall

1 provide assistance to a person who files a complaint with a
2 licensing agency. The assistance under this section includes
3 assistance to a complainant in appealing a decision by the agency
4 that the complainant considers to be unsatisfactory.

5 (b) The office shall adopt a standard complaint form that
6 may be used by a member of the public to file a complaint with a
7 licensing agency. Each licensing agency shall accept the form
8 adopted under this section in addition to any other form required by
9 the agency.

10 Sec. 101.304. MONITORING OF AGENCIES. (a) The office shall
11 review and evaluate rules adopted by the licensing agencies and
12 changes made to the statutes that govern the operation of the
13 agencies and the professions regulated by the agencies.

14 (b) The office shall recommend changes to the statutes
15 described by Subsection (a) to the Sunset Advisory Commission
16 during the commission's review of the relevant licensing agency.

17 Sec. 101.305. FUNDING OF OFFICE. (a) To provide funding
18 sufficient for the office to exercise the powers and duties
19 prescribed by this subchapter, the initial licensing or
20 registration fee and renewal fee charged by each licensing agency
21 is increased by \$1.

22 (b) The fees collected under this section shall be collected
23 in the same manner as the assessment under Section 101.006. The
24 council may spend the fees collected under this section only to fund
25 the activities of the office under this subchapter.

26 SECTION 2. (a) This Act takes effect September 1, 2003.

27 (b) The Health Professions Council shall establish the

1 office of patient protection as required by this Act not later than
2 January 1, 2004. The Health Professions Council may establish a
3 schedule under which the office of patient protection shall begin
4 to perform the powers and duties prescribed by this Act on and after
5 the date the office is established.

6 (c) The change in law made by this Act by the enactment of
7 Section 101.305, Occupations Code, applies only to a fee collected
8 on or after January 1, 2004.