

BILL ANALYSIS

H.B. 102
By: Van Arsdale
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Occupations Code, Section 604.151, provides that renewing a respiratory care practitioner certificate requires six to twelve hours of continuing education for each renewal period.

The 78th Legislature passed H.B. 2292 that amended the Health and Safety Code, Section 12.0112 (term of license) which changed the renewal term for a license for respiratory care practitioners from one year to two years. This change inadvertently created a situation where continuing education requirements must be met every two years, instead of annually, to maintain a license. H.B. 102 would solve this problem by clarifying that practitioners must complete their continuing education requirements each year to maintain their license.

RULEMAKING AUTHORITY

This bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency or institution.

ANALYSIS

H.B. 102 amends the heading of Sec. 604.151(a) of the Occupations Code to exclude the choice of annual or biennial renewal. The bill also provides that the certificate to practice must only be renewed biennially to coincide with existing law. The state board shall also establish uniform requirements for the renewal of a certificate that requires the six to twelve hours of continuing education to be completed annually.

EFFECTIVE DATE

Upon passage, or, if the act does not receive the necessary vote, the Act takes effect August 29, 2005.