

1-1 By: Zaffirini S.B. No. 39
1-2 (In the Senate - Filed November 8, 2004; January 31, 2005,
1-3 read first time and referred to Committee on Education;
1-4 April 20, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 20, 2005,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 39 By: Zaffirini

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to continuing education in forensic evidence collection
1-11 for certain physicians and nurses.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter B, Chapter 156, Occupations Code, is
1-14 amended by adding Section 156.057 to read as follows:

1-15 Sec. 156.057. CONTINUING EDUCATION IN FORENSIC EVIDENCE
1-16 COLLECTION. (a) A physician licensed under this subtitle who
1-17 submits an application for renewal of a license to practice
1-18 medicine, whose practice includes treating patients in an emergency
1-19 room setting, and who is required under board rules to comply with
1-20 this section shall complete at least two hours of continuing
1-21 medical education relating to forensic evidence collection not
1-22 later than:

1-23 (1) September 1, 2008; or

1-24 (2) the second anniversary of the initial issuance of
1-25 a license under this chapter to the license holder.

1-26 (b) The board shall adopt rules to identify the physicians
1-27 who are required to complete continuing medical education under
1-28 Subsection (a) and to establish the content of that continuing
1-29 medical education. The board may adopt other rules to implement
1-30 this section.

1-31 SECTION 2. Subchapter G, Chapter 301, Occupations Code, is
1-32 amended by adding Section 301.306 to read as follows:

1-33 Sec. 301.306. FORENSIC EVIDENCE COLLECTION COMPONENT IN
1-34 CONTINUING EDUCATION. (a) As part of continuing education
1-35 requirements under Section 301.303, a license holder who is
1-36 employed to work in an emergency room setting and who is required
1-37 under board rules to comply with this section shall complete at
1-38 least two hours of continuing education relating to forensic
1-39 evidence collection not later than:

1-40 (1) September 1, 2008; or

1-41 (2) the second anniversary of the initial issuance of
1-42 a license under this chapter to the license holder.

1-43 (b) The continuing education required under Subsection (a)
1-44 must be part of a program approved under Section 301.303(c).

1-45 (c) The board shall adopt rules to identify the license
1-46 holders who are required to complete continuing education under
1-47 Subsection (a) and to establish the content of that continuing
1-48 education. The board may adopt other rules to implement this
1-49 section, including rules under Section 301.303(c) for the approval
1-50 of education programs and providers.

1-51 SECTION 3. Not later than June 1, 2006, the Texas State
1-52 Board of Medical Examiners shall adopt the rules required by
1-53 Section 156.057, Occupations Code, as added by this Act.

1-54 SECTION 4. Not later than January 1, 2006, the Board of
1-55 Nurse Examiners shall adopt the rules required by Section 301.306,
1-56 Occupations Code, as added by this Act.

1-57 SECTION 5. This Act takes effect September 1, 2005.

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