

By: Orr

H.B. No. 1096

A BILL TO BE ENTITLED

AN ACT

relating to the delegation of certain medical acts by a physician to an advanced practice nurse or physician assistant.

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

SECTION 1. Section 157.053(e), Occupations Code, is amended to read as follows:

(e) A physician's authority to delegate the carrying out or signing of a prescription drug order is limited to:

(1) six [~~three~~] physician assistants or advanced practice nurses or their full-time equivalents practicing at the physician's primary practice site or at an alternate practice site under Section 157.0541; and

(2) the patients with whom the physician has established or will establish a physician-patient relationship.

SECTION 2. Sections 157.0541(a), (c), and (e), Occupations Code, are amended to read as follows:

(a) In this section, "alternate site" means a practice site:

(1) where services similar to the services provided at the delegating physician's primary practice site are provided; and

(2) located within 75 [~~60~~] miles of the delegating physician's primary practice site.

(c) Physician supervision is adequate for the purposes of this section if the delegating physician:

(1) [~~is on-site with the advanced practice nurse or~~

1 ~~physician assistant at least 20 percent of the time;~~

2 ~~(2)~~ reviews at least 10 percent of the medical
3 charts from ~~at~~ the site; and

4 (2) ~~(3)~~ is available through direct
5 telecommunication for consultation, patient referral, or
6 assistance with a medical emergency.

7 (e) The combined number of advanced practice nurses and
8 physician assistants to whom a physician may delegate under this
9 section and at a primary practice site under Section 157.053 may not
10 exceed six ~~three~~ physician assistants or advanced practice nurses
11 or the full-time equivalent of six ~~three~~ physician assistants or
12 advanced practice nurses.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2007.