

1-1 By: Bonnen (Senate Sponsor - Huffman) H.B. No. 675
1-2 (In the Senate - Received from the House April 14, 2009;
1-3 April 27, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 8, 2009, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 9,
1-6 Nays 0; May 8, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 675 By: Huffman

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

1-10 relating to a retired status license for an optometrist or
1-11 therapeutic optometrist practicing voluntary charity care.

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

1-13 SECTION 1. Subchapter F, Chapter 351, Occupations Code, is
1-14 amended by adding Section 351.265 to read as follows:

1-15 Sec. 351.265. RETIRED STATUS. (a) The board by rule may
1-16 allow a license holder to place the person's license on retired
1-17 status. A license holder must apply to the board for retired
1-18 status, on a form prescribed by the board, before the expiration
1-19 date of the person's license.

1-20 (b) In determining whether to grant retired status, the
1-21 board shall consider the age, years of practice, and status of the
1-22 license holder at the time of the application.

1-23 (c) A license holder on retired status:

1-24 (1) must pay a license renewal fee in an amount equal
1-25 to the renewal fee for a license on inactive status; and

1-26 (2) except as provided by Subsection (f), may not
1-27 perform any activity regulated under this chapter.

1-28 (d) To reinstate a license placed on retired status, the
1-29 license holder must submit a written request for reinstatement to
1-30 the board. The board may return the license to active status and
1-31 issue a renewal license if the license holder complies with any
1-32 education or other requirement established by board rule and pays
1-33 the renewal fee in effect at the time of the requested
1-34 reinstatement.

1-35 (e) The board may charge a reasonable administrative fee to
1-36 cover the cost of research and the preparation of documentation for
1-37 the board's consideration of a request for reinstatement of a
1-38 license on retired status.

1-39 (f) A license holder on retired status may perform an
1-40 activity regulated under this chapter if the license holder's
1-41 practice consists only of voluntary charity care, as defined by
1-42 board rule. The board's rules under this subsection must prescribe
1-43 the scope of practice permitted for the license holder, the license
1-44 holder's authority to prescribe and administer drugs, and any
1-45 continuing education requirements applicable to the license
1-46 holder. The scope of practice of a license holder on retired status
1-47 may not be greater than the scope of practice of the same license
1-48 holder on active status.

1-49 SECTION 2. Subchapter G, Chapter 351, Occupations Code, is
1-50 amended by adding Section 351.3065 to read as follows:

1-51 Sec. 351.3065. RENEWAL OF EXPIRED LICENSE BY RETIRED
1-52 OPTOMETRIST OR THERAPEUTIC OPTOMETRIST. The board may renew the
1-53 license of a person whose license has been expired for one year or
1-54 more without requiring the person to comply with the requirements
1-55 and procedures for an original license if the person places the
1-56 person's renewed license on retired status and confines the
1-57 person's practice solely to voluntary charity care under Section
1-58 351.265(f).

1-59 SECTION 3. Not later than December 1, 2009, the Texas
1-60 Optometry Board shall adopt rules necessary to implement the
1-61 changes in law made by this Act.

1-62 SECTION 4. (a) Section 351.265, Occupations Code, as added
1-63 by this Act, applies to an application for retired status filed on

2-1 or after January 1, 2010.

2-2 (b) Section 351.3065, Occupations Code, as added by this
2-3 Act, applies to an application for renewal of an expired license
2-4 filed on or after January 1, 2010.

2-5 SECTION 5. This Act takes effect September 1, 2009.

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