

1-1 By: Hartnett (Senate Sponsor - Huffman) H.B. No. 732
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 21, 2009, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 21, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the removal of certain information from a physician's
1-9 medical board profile.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 154.006, Occupations Code, is amended by
1-12 adding Subsection (k) to read as follows:

1-13 (k) In the annual update of a physician's profile under
1-14 Subsection (g), the board shall remove any record of a formal
1-15 complaint required under Subsection (b)(15) or (i) if the complaint
1-16 was dismissed more than five years before the date of the update and
1-17 the complaint was dismissed as baseless, unfounded, or not
1-18 supported by sufficient evidence that a violation occurred, or no
1-19 action was taken against the physician's license as a result of the
1-20 complaint. The board shall also remove any record of the
1-21 investigation of medical malpractice claims or complaints required
1-22 to be investigated by the board under Section 164.201 if the
1-23 investigation was resolved more than five years before the date of
1-24 the update and no action was taken against the physician's license
1-25 as a result of the investigation.

1-26 SECTION 2. This Act takes effect September 1, 2009.

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