

By: Coleman

H.B. No. 3469

Substitute the following for H.B. No. 3469:

By: Gonzales

C.S.H.B. No. 3469

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a community health center to contract with or employ an optometrist or therapeutic optometrist.

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

SECTION 1. Subchapter H, Chapter 351, Occupations Code, is amended by adding Section 351.367 to read as follows:

Sec. 351.367. CONTRACT OR EMPLOYMENT WITH COMMUNITY HEALTH CENTERS. (a) In this section, "community health center" means a health organization that:

(1) is a nonprofit corporation under the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes) and Section 501(c)(3), Internal Revenue Code of 1986; and

(2) is organized and operated as:

(A) a migrant, community, or homeless health center under the authority of and in compliance with 42 U.S.C. Section 254b or 254c; or

(B) a federally qualified health center under 42 U.S.C. Section 1396d(1)(2)(B).

(b) The board by rule shall certify a health organization to contract with or employ an optometrist or therapeutic optometrist if the organization:

(1) applies for certification on a form approved by the board; and

1 (2) presents proof satisfactory to the board that the
2 organization is a community health center.

3 (c) A community health center that contracts with or employs
4 an optometrist or therapeutic optometrist under this section may
5 not control or attempt to control the professional judgment of the
6 optometrist or therapeutic optometrist.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.