

BILL ANALYSIS

S.B. 1360
By: Harris
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the incidence of tick-borne diseases, such as Lyme disease, in Texas is increasing at a steady rate. Those parties further contend that many medical practitioners are unfamiliar with symptoms and treatment options for such diseases. S.B. 1360 seeks to provide patients in Texas with improved treatment for tick-borne diseases by establishing provisions relating to continuing education in tick-borne diseases for licensed physicians and nurses.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Medical Board in SECTIONS 2, 4, and 5 of this bill and to the Texas Board of Nursing in SECTIONS 3, 4, and 6 of this bill.

ANALYSIS

S.B. 1360 establishes legislative findings relating to tick-borne diseases and specifies the legislature's intent to address the need for medical and nursing education on tick-borne diseases through the continuing medical education requirements for physicians and nurses.

S.B. 1360 amends the Occupations Code to encourage a physician licensed under the Medical Practice Act who submits an application for renewal of a license to practice medicine and whose practice includes the treatment of tick-borne diseases to include continuing medical education in the treatment of tick-borne diseases among the hours of continuing medical education completed for purposes of rules adopted under provisions of law relating to continuing medical education hours required to be approved by the Texas Medical Board.

S.B. 1360 requires the medical board, not later than January 31, 2012, to adopt rules to establish the content of and approval requirements for continuing medical education relating to the treatment of tick-borne diseases and, in adopting rules, to seek input from affected parties and review relevant courses, including courses that have been approved in other states. The bill requires such rules to provide for the identification and approval of accredited continuing medical education courses that represent an appropriate spectrum of relevant medical clinical treatment relating to tick-borne diseases. The bill requires the medical board to consider, if relevant, a physician's participation in an approved continuing medical education course if the physician is being investigated by the board regarding the physician's selection of clinical care for the treatment of tick-borne diseases and the physician completed the course not more than two years before the start of the investigation. The bill authorizes the medical board to adopt other rules to implement the bill's provisions relating to continuing education in tick-borne diseases.

S.B. 1360 requires a licensed nurse whose practice includes the treatment of tick-borne diseases to be encouraged to participate, during each two-year licensing period, in continuing education relating to the treatment of tick-borne diseases as part of the continuing education requirements

for continuing competency.

S.B. 1360 requires the Texas Board of Nursing, not later than January 31, 2012, to adopt rules to identify the license holders who are encouraged to complete such continuing education and establish the content of that continuing education and, in adopting rules, to seek input from affected parties and review relevant courses, including courses that have been approved in other states. The bill requires such rules to provide that continuing education courses representing an appropriate spectrum of relevant medical clinical treatment relating to tick-borne diseases qualify as approved continuing education courses for license renewal. The bill requires the nursing board, if relevant, to consider a license holder's participation in an approved continuing education course if the license holder is being investigated by the board regarding the license holder's selection of clinical care for the treatment of tick-borne diseases and the license holder completed the course not more than two years before the start of the investigation. The bill authorizes the nursing board to adopt other rules to implement its provisions, including rules under statutory provisions relating to the establishment of a system for the approval of education programs and providers for continuing competency.

S.B. 1360 requires the Texas Medical Board and the Texas Board of Nursing to consult and cooperate in adopting the rules required under the bill's provisions. The bill requires the Texas Medical Board and the Texas Board of Nursing, not later than February 6, 2012, to report to the governor, the lieutenant governor, and the speaker of the house of representatives concerning the adoption of rules under the bill's provisions.

EFFECTIVE DATE

September 1, 2011.