

By: Zedler

H.B. No. 2453

A BILL TO BE ENTITLED

AN ACT

relating to the release of complaint information by the Texas Medical Board to the legislature.

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

SECTION 1. Section 154.055, Occupations Code, is amended to read as follows:

Sec. 154.055. RELEASE OF COMPLAINT INFORMATION TO LEGISLATOR [~~LEGISLATIVE COMMITTEE~~]. (a) On request from a member of the legislature [~~legislative committee created under Subchapter B, Chapter 301, Government Code~~], the board shall release all information regarding a complaint against a physician to aid in a legitimate legislative inquiry. The board may release the information only to the member of the legislature [~~members of the committee~~].

(b) In complying with a request under Subsection (a), the board:

(1) may not identify the [complainant or the] patient unless the patient made the complaint;

(2) may not release any health care information protected by state or federal law, including the patient's medical record; and

(3) may require the member to sign a nondisclosure agreement [~~and may reveal the identity of the affected physician only to the members of the committee~~].

1 SECTION 2. This Act takes effect September 1, 2011.