

By: Nelson

S.B. No. 256

A BILL TO BE ENTITLED

AN ACT

relating to requiring a private autopsy facility to post a notice for filing a complaint against a physician; providing a penalty.

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

SECTION 1. Subtitle A, Title 8, Health and Safety Code, is amended by adding Chapter 671A to read as follows:

CHAPTER 671A. NOTICE REQUIRED AT PRIVATE AUTOPSY FACILITY

Sec. 671A.001. DEFINITION. In this chapter, "private autopsy facility" means a facility that is owned or operated by a physician who performs autopsy services for a fee or that employs a physician to perform autopsy services for a fee, including autopsy services performed on the order of a justice of the peace. The term does not include a medical examiner's office.

Sec. 671A.002. NOTICE FOR COMPLAINTS REQUIRED. (a) A private autopsy facility shall post a notice in a conspicuous place in a public area of the facility that substantially complies with the notice published by the Texas Medical Board under this section.

(b) The notice must state in English and in Spanish that a person may file with the Texas Medical Board a complaint against a physician who performs autopsy services and must include the appropriate mailing address and telephone number of the Texas Medical Board for filing complaints against physicians.

(c) The Texas Medical Board by rule shall adopt a sample form of the notice. The board shall publish the notice on the

1 board's Internet website.

2 Sec. 671A.003. CRIMINAL PENALTY FOR FAILURE TO POST NOTICE.

3 (a) A private autopsy facility commits an offense if the facility
4 fails to post the notice required by this chapter.

5 (b) An offense under this section is a Class C misdemeanor.

6 SECTION 2. Not later than January 1, 2012, the Texas Medical
7 Board shall publish the notice as required by Section 671A.002,
8 Health and Safety Code, as added by this Act.

9 SECTION 3. (a) Except as provided by Subsection (b) of this
10 section, this Act takes effect September 1, 2011.

11 (b) Section 671A.003, Health and Safety Code, as added by
12 this Act, takes effect January 1, 2012.