

By: Wentworth
(Garza)

S.B. No. 1424

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of cease and desist orders by the Texas Medical Board.

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

SECTION 1. Subsection (a), Section 165.052, Occupations Code, is amended to read as follows:

(a) If it appears to the board that a person who is not licensed under this subtitle is violating this subtitle, a rule adopted under this subtitle, or another state statute or rule relating to the practice of medicine, the board [~~after notice and opportunity for a hearing~~] may issue a cease and desist order prohibiting the person from engaging in the activity. Before issuing the order, the board must provide the person with the same notice and the same opportunity for an informal proceeding and a formal hearing as provided to a license holder under Chapter 164.

SECTION 2. The change in law made by this Act applies only to a hearing for which notice is provided under Section 165.052, Occupations Code, on or after the effective date of this Act. A hearing for which notice is provided before the effective date of this Act is governed by the law in effect when the notice is provided, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2011.