

By: Wentworth

S.B. No. 1424

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the issuance of cease and desist orders by the Texas
3 Medical Board.

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

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

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

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

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