

By: Callegari

H.B. No. 543

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of the practice of dentistry and oral and maxillofacial surgery.

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

SECTION 1. Section 151.052(a), Occupations Code, is amended to read as follows:

(a) This subtitle does not apply to:

(1) a dentist, licensed under the laws of this state, engaged strictly in the practice of dentistry, including the practice of the dental specialty of oral and maxillofacial surgery as described by Section 251.003(c), regardless of whether the dentist is also a licensed physician;

(2) a licensed optometrist or therapeutic optometrist engaged strictly in the practice of optometry or therapeutic optometry as defined by law;

(3) a licensed chiropractor engaged strictly in the practice of chiropractic as defined by law;

(4) a registered nurse or licensed vocational nurse engaged strictly in the practice of nursing in accordance with the applicable licensing acts and other laws of this state;

(5) a licensed podiatrist engaged strictly in the practice of podiatry as defined by law;

(6) a licensed or certified psychologist engaged strictly in the practice of psychology as defined by law;

1           (7) a licensed physical therapist engaged strictly in  
2 the practice of physical therapy in accordance with the law  
3 relating to physical therapy practice;

4           (8) a commissioned or contract surgeon in the United  
5 States uniformed services or Public Health Service in the  
6 performance of that person's duties if the person is not engaged in  
7 private practice;

8           (9) a person who furnishes medical assistance in an  
9 emergency or disaster situation if no charge is made for the medical  
10 assistance;

11           (10) a student in training in a board-approved medical  
12 school while performing, under the supervision of a licensed  
13 practitioner, the duties assigned in the course of training;

14           (11) a legally qualified physician of another state  
15 who is in this state for consultation with a physician licensed in  
16 this state but who does not:

17                   (A) maintain an office in this state; or

18                   (B) appoint a place in this state for seeing,  
19 examining, or treating a patient; or

20           (12) any other activity that the board designates as  
21 exempt from the application of this subtitle.

22           SECTION 2. The change in law made by this Act to Section  
23 151.052(a), Occupations Code, applies only to an act or omission in  
24 the practice of dentistry, including oral and maxillofacial  
25 surgery, occurring on or after the effective date of this Act. An  
26 act or omission occurring before the effective date of this Act is  
27 governed by the law in effect on the date the act or omission

1 occurred, and the former law is continued in effect for that  
2 purpose.

3 SECTION 3. This Act takes effect September 1, 2013.