

By: Zedler

H.B. No. 1262

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the powers and duties of the Texas Medical Board and the
3 regulation of certain persons licensed by the board.

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

5 SECTION 1. Section 154.053, Occupations Code, is amended by
6 amending Subsection (a) to read as follows:

7 (a) The board shall notify by personal delivery or certified
8 mail a physician who is the subject of a complaint filed with the
9 board that a complaint has been filed and shall provide [~~notify~~] the
10 physician with a copy of the [~~nature of the~~] complaint, including a
11 statement of the alleged violation in plain language. The
12 complaint must be provided to the physician without redaction.

13 SECTION 2. Section 154.0561, Occupations Code, is amended
14 by adding Subsection (e) to read as follows:

15 (e) The board shall deliver a copy of the preliminary and
16 final reports, including any dissenting or minority report, to the
17 physician who is the subject of the review.

18 (f) The name and medical credentials of each physician who
19 files an expert report on the physician who is the subject of review
20 must be provided to the physician who is the subject of review.

21 SECTION 3. The Texas Medical Board shall adopt the rules
22 required under Sections 156.059 and 301.304, Occupations Code, as
23 added by this Act.

24 SECTION 4. Not later than 1/1/14 the Texas Medical Board

1 shall adopt rules required by Section 156.059, Occupations Code, as
2 added by this Act.

3 SECTION 5. Not later than 1/1/14 the Texas Medical Board
4 shall report to the governor, the lieutenant governor, and the
5 speaker of the house of representatives concerning the adoption of
6 rules as required by sections 156.059 and 301.304, Occupations
7 Code, as added by this Act.

8 SECTION 6. Sections 156.059(c) and 301.304(c), Occupations
9 Code, as added by this Act, apply only to the investigation of a
10 complaint or a disciplinary action based on a complaint filed on or
11 after the effective date of this Act. The investigation of a
12 complaint or a disciplinary action based on a complaint filed
13 before that date is governed by the law in effect on the date the
14 complaint was filed, and that law is continued in effect for that
15 purpose.

16 SECTION 7. The changes in law made by this Act relating to
17 the Texas Medical Board's complaint procedures apply only to a
18 complaint filed on or after the effective date of this Act. A
19 complaint filed before the effective date of this Act is governed by
20 the law in effect on the date the complaint is filed, and the former
21 law is continued in effect for that purpose.

22 SECTION 8. This Act takes effect September 1, 2013.