

1-1 By: Callegari (Senate Sponsor - Huffman) H.B. No. 1803
 1-2 (In the Senate - Received from the House May 3, 2013;
 1-3 May 6, 2013, read first time and referred to Committee on Health
 1-4 and Human Services; May 16, 2013, reported adversely, with
 1-5 favorable Committee Substitute by the following vote: Yeas 8,
 1-6 Nays 0; May 16, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1803 By: Schwertner

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the renewal of a controlled substance registration by
 1-22 physicians; changing the payment schedule for a fee.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 481.061(c), Health and Safety Code, is
 1-25 amended to read as follows:

1-26 (c) A separate registration is required at each principal
 1-27 place of business or professional practice where the applicant
 1-28 manufactures, distributes, analyzes, dispenses, or possesses a
 1-29 controlled substance~~[. However]~~, except that the director may not
 1-30 require separate registration for:

1-31 (1) a physician licensed under Subtitle B, Title 3,
 1-32 Occupations Code; or

1-33 (2) a practitioner engaged in research with a
 1-34 nonnarcotic controlled substance listed in Schedules II through V
 1-35 if the registrant is already registered under this subchapter in
 1-36 another capacity.

1-37 SECTION 2. Section 481.063(g), Health and Safety Code, is
 1-38 amended to read as follows:

1-39 (g) Except as otherwise provided by Section 481.0645 for a
 1-40 physician licensed under Subtitle B, Title 3, Occupations Code,
 1-41 a [A] registration is valid until the first anniversary of the date
 1-42 of issuance and may be renewed annually under rules adopted by the
 1-43 director, unless a rule provides for a longer period of validity or
 1-44 renewal.

1-45 SECTION 3. Section 481.064, Health and Safety Code, is
 1-46 amended by amending Subsection (a) and adding Subsection (a-1) to
 1-47 read as follows:

1-48 (a) Except as otherwise provided by Section 481.0645 for a
 1-49 physician licensed under Subtitle B, Title 3, Occupations Code, the
 1-50 [The] director may charge a nonrefundable fee of not more than \$25
 1-51 before processing an application for annual registration and may
 1-52 charge a late fee of not more than \$50 for each application for
 1-53 renewal the department receives after the date the registration
 1-54 expires. The director by rule shall set the amounts of the fees at
 1-55 the amounts that are necessary to cover the cost of administering
 1-56 and enforcing this subchapter. Except as provided by Subsection
 1-57 (b) or Section 156.004, Occupations Code, registrants shall pay the
 1-58 fees to the director. Not later than 60 days before the date the
 1-59 registration expires, the director shall send a renewal notice to
 1-60 the registrant at the last known address of the registrant

2-1 according to department records, unless the registrant is a
 2-2 physician to whom notice of expiration is provided under Section
 2-3 156.004, Occupations Code.

2-4 (a-1) Notwithstanding Subsection (a), the director shall
 2-5 continue to send renewal notices to registrants who are physicians.
 2-6 This subsection expires January 1, 2016.

2-7 SECTION 4. Subchapter C, Chapter 481, Health and Safety
 2-8 Code, is amended by adding Section 481.0645 to read as follows:

2-9 Sec. 481.0645. REGISTRATION, RENEWAL, AND FEES FOR
 2-10 PHYSICIANS. (a) The registration under this chapter of a physician
 2-11 licensed under Subtitle B, Title 3, Occupations Code, is valid for a
 2-12 period of not less than two years and expires on the same date the
 2-13 physician's registration permit issued by the Texas Medical Board
 2-14 under Chapter 156, Occupations Code, expires.

2-15 (a-1) Notwithstanding Subsection (a), a registration of a
 2-16 physician licensed under Subtitle B, Title 3, Occupations Code,
 2-17 that is in effect on January 1, 2014, expires on the date on which
 2-18 the physician's registration permit issued by the Texas Medical
 2-19 Board under Chapter 156, Occupations Code, expires. This
 2-20 subsection expires January 1, 2017.

2-21 (b) The director may charge a physician registered under
 2-22 this section a nonrefundable registration fee of not more than \$50
 2-23 and a late fee for each application submitted after the expiration
 2-24 of the grace period described by Section 156.004(b), Occupations
 2-25 Code.

2-26 (c) A physician may request the renewal of the physician's
 2-27 registration under this chapter by remitting the information
 2-28 required under Section 481.063 and the fee required under
 2-29 Subsection (b) to the Texas Medical Board. The Texas Medical Board
 2-30 must allow a physician to submit the information and pay the fee
 2-31 electronically.

2-32 (d) A physician requesting renewal under this section must
 2-33 meet all eligibility requirements under Section 481.063(e).

2-34 (e) The director shall adopt any rules necessary to
 2-35 administer this section. The director shall coordinate with the
 2-36 Texas Medical Board in the adoption of rules necessary under this
 2-37 section to prevent any conflicts between rules adopted by the
 2-38 agencies and to ensure that administrative burden to physicians is
 2-39 minimized.

2-40 SECTION 5. Subchapter A, Chapter 156, Occupations Code, is
 2-41 amended by adding Section 156.0035 to read as follows:

2-42 Sec. 156.0035. RENEWAL OF CONTROLLED SUBSTANCE
 2-43 REGISTRATION. (a) The board shall accept the renewal application
 2-44 and fee submitted by a physician under Section 481.0645, Health and
 2-45 Safety Code, for a registration under Subchapter C, Chapter 481,
 2-46 Health and Safety Code.

2-47 (b) The board by rule shall adopt a procedure for submitting
 2-48 a registration renewal application and remitting the registration
 2-49 fee to the Department of Public Safety.

2-50 (c) The board shall coordinate a physician's controlled
 2-51 substance registration renewal with the registration required
 2-52 under this chapter so that the times of registration, payment, and
 2-53 notice are the same and provide a minimum of administrative burden
 2-54 to the board and to physicians.

2-55 SECTION 6. Section 156.004, Occupations Code, is amended to
 2-56 read as follows:

2-57 Sec. 156.004. NOTICE OF EXPIRATION. (a) At least 60 days
 2-58 before the date on which a physician's registration permit expires,
 2-59 the [The] board shall send [a registration permit renewal
 2-60 application notice] to each physician at the physician's last known
 2-61 address according to the board's records:

2-62 (1) a [at least 30 days before the expiration date of
 2-63 the] registration permit renewal application notice; and

2-64 (2) a renewal notice for the physician's registration
 2-65 with the Department of Public Safety under Subchapter C, Chapter
 2-66 481, Health and Safety Code.

2-67 (b) The board shall provide for a 30-day grace period for
 2-68 renewing the registration permit from the date of the expiration of
 2-69 the permit.

3-1 SECTION 7. (a) The changes in law made to Subchapter C,
3-2 Chapter 481, Health and Safety Code, by this Act apply only to a
3-3 registration under that subchapter that expires on or after the
3-4 effective date of this Act.

3-5 (b) The changes in law made to Chapter 156, Occupations
3-6 Code, by this Act apply only to a registration permit under that
3-7 chapter that expires on or after the effective date of this Act.

3-8 (c) An unexpired registration under Subchapter C, Chapter
3-9 481, Health and Safety Code, held by a physician on the effective
3-10 date of this Act expires on the date on which the registration
3-11 permit issued to the physician under Chapter 156, Occupations Code,
3-12 expires.

3-13 SECTION 8. This Act takes effect January 1, 2014.

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