

By: Zedler

H.B. No. 1876

A BILL TO BE ENTITLED

AN ACT

relating to the ability of certain professional associations of
chiropractors to hire physicians.

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

SECTION 1. Section 301.006(a), Business Organizations
Code, is amended to read as follows:

(a) Except as provided by Section 301.013, a [A]
professional association or foreign professional association may
provide a professional service in this state only through owners,
managerial officials, employees, or agents, each of whom:

(1) is a professional individual; and

(2) is licensed in this state to provide the same
professional service provided by the entity.

SECTION 2. Chapter 301, Business Organizations Code, is
amended by adding Section 301.013 to read as follows:

Sec. 301.013. EMPLOYMENT OF DOCTOR OF MEDICINE OR
OSTEOPATHY BY CERTAIN PROFESSIONAL ASSOCIATIONS. (a) A
professional association formed and owned by persons licensed as
chiropractors by the Texas Board of Chiropractic Examiners may
employ a person licensed by the Texas Medical Board as a doctor of
medicine or as a doctor of osteopathy to perform professional
services that fall within the scope of practice of the
practitioner.

(b) If a professional association formed and owned by

1 chiropractors employs a doctor of medicine or a doctor of
2 osteopathy as described by Subsection (a), the authority of each
3 practitioner, both owners and employees, is limited to the
4 practitioner's scope of practice, and a practitioner may not
5 exercise control over another practitioner's clinical authority
6 granted under the practitioner's respective license, either
7 through an agreement, bylaw, directive, financial incentive, or
8 other arrangement that would assert control over a treatment
9 decision made by the practitioner.

10 SECTION 3. Chapter 162, Occupations Code, is amended by
11 adding Subchapter F to read as follows:

12 SUBCHAPTER F. EMPLOYMENT OF PHYSICIANS BY CERTAIN PROFESSIONAL
13 ASSOCIATIONS

14 Sec. 162.251. PATIENT CARE. A physician employed by a
15 professional association formed and owned by chiropractors in
16 accordance with Section 301.013, Business Organizations Code,
17 shall retain independent medical judgment in providing care to
18 patients.

19 SECTION 4. This Act takes effect September 1, 2013.