

By: Zedler

H.B. No. 2627

A BILL TO BE ENTITLED

AN ACT

relating to complaints filed with the Texas Optometry Board.

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

SECTION 1. Title 3, Subtitle F, Chapter 351, Occupations Code, is amended by adding Section 351.206 to read as follows:

Sec. 351.206 REMEDIAL PLAN. (a) The board may issue and establish the terms of a remedial plan to resolve the investigation of a complaint relating to this chapter.

(b) A remedial plan may not contain a provision that:

(1) revokes, suspends, limits, or restricts a person's license or other authorization to practice optometry or therapeutic optometry; or

(2) assesses an administrative penalty against a person.

(c) A remedial plan may not be imposed to resolve a complaint:

(1) concerning:

(A) a death;

(B) a hospitalization; or

(C) the commission of a felony; or

(2) in which the appropriate resolution may involve a restriction on the manner in which a license holder practices optometry or therapeutic optometry.

(d) The board may not issue a remedial plan to resolve a

1 complaint against a license holder if the license holder has
2 entered into a remedial plan with the board in the preceding 24
3 months for the resolution of a different complaint relating to this
4 subtitle.

5 (e) If a license holder complies with and successfully
6 completes the terms of a remedial plan, the board shall remove all
7 records of the remedial plan from the board's records on the second
8 anniversary of the date the license holder successfully completes
9 the remedial plan.

10 (f) The board may assess a fee against a license holder
11 participating in a remedial plan in an amount necessary to recover
12 the costs of administering the plan.

13 (g) The board shall adopt rules necessary to implement this
14 section.

15 SECTION 2. Section 351.206, Occupations Code, as added by
16 this Act, applies only to a complaint filed on or after the
17 effective date of this Act. A complaint filed before that date is
18 governed by the law in effect on the date the complaint was filed,
19 and that law is continued in effect for that purpose.

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