

AN ACT

1
2 relating to regulation by the Texas Medical Board of local
3 anesthesia and peripheral nerve blocks administered in an
4 outpatient setting.

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

6 SECTION 1. Section 162.103, Occupations Code, is amended to
7 read as follows:

8 Sec. 162.103. APPLICABILITY. Rules adopted by the board
9 under this subchapter do not apply to:

10 (1) an outpatient setting in which only local
11 anesthesia, peripheral nerve blocks, or both are used in a total
12 dosage amount that does not exceed 50 percent of the recommended
13 maximum safe dosage per outpatient visit;

14 (2) a licensed hospital, including an outpatient
15 facility of the hospital that is located separate from the
16 hospital;

17 (3) a licensed ambulatory surgical center;

18 (4) a clinic located on land recognized as tribal land
19 by the federal government and maintained or operated by a federally
20 recognized Indian tribe or tribal organization as listed by the
21 United States secretary of the interior under 25 U.S.C. Section
22 479a-1 or as listed under a successor federal statute or
23 regulation;

24 (5) a facility maintained or operated by a state or

1 local governmental entity;

2 (6) a clinic directly maintained or operated by the
3 United States; or

4 (7) an outpatient setting accredited by:

5 (A) The ~~[the]~~ Joint Commission ~~[on Accreditation~~
6 ~~of Healthcare Organizations]~~ relating to ambulatory surgical
7 centers;

8 (B) the American Association for ~~[the]~~
9 Accreditation of Ambulatory Surgery Facilities; or

10 (C) the Accreditation Association for Ambulatory
11 Health Care.

12 SECTION 2. The change in law made by this Act to Section
13 162.103, Occupations Code, and rules adopted by the Texas Medical
14 Board under Subchapter C, Chapter 162, Occupations Code, apply only
15 to an outpatient setting in which only local anesthesia, peripheral
16 nerve blocks, or both are used on or after the effective date of
17 this Act. An outpatient setting in which only local anesthesia,
18 peripheral nerve blocks, or both are used before the effective date
19 of this Act is governed by the law in effect on the date the local
20 anesthesia, peripheral nerve blocks, or both are used, and the
21 former law is continued in effect for that purpose.

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 978 passed the Senate on April 18, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 978 passed the House on May 20, 2013, by the following vote: Yeas 116, Nays 31, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor