

By: Deuell

S.B. No. 978

A BILL TO BE ENTITLED

1 AN ACT

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;~~

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

15 (2) ~~(3)~~ a licensed ambulatory surgical center;

16 (3) ~~(4)~~ a clinic located on land recognized as
17 tribal land by the federal government and maintained or operated by
18 a federally recognized Indian tribe or tribal organization as
19 listed by the United States secretary of the interior under 25
20 U.S.C. Section 479a-1 or as listed under a successor federal
21 statute or regulation;

22 (4) ~~(5)~~ a facility maintained or operated by a state
23 or local governmental entity;

24 (5) ~~(6)~~ a clinic directly maintained or operated by

1 the United States; or

2 (6) [~~(7)~~] an outpatient setting accredited by:

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

6 (B) the American Association for [~~the~~
7 Accreditation of Ambulatory Surgery Facilities; or

8 (C) the Accreditation Association for Ambulatory
9 Health Care.

10 SECTION 2. The change in law made by this Act to Section
11 162.103, Occupations Code, and rules adopted by the Texas Medical
12 Board under Subchapter C, Chapter 162, Occupations Code, apply only
13 to an outpatient setting in which only local anesthesia, peripheral
14 nerve blocks, or both are used on or after the effective date of
15 this Act. An outpatient setting in which only local anesthesia,
16 peripheral nerve blocks, or both are used before the effective date
17 of this Act is governed by the law in effect on the date the local
18 anesthesia, peripheral nerve blocks, or both are used, and the
19 former law is continued in effect for that purpose.

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