

1-1 By: Deuell S.B. No. 978
 1-2 (In the Senate - Filed February 28, 2013; March 12, 2013,
 1-3 read first time and referred to Committee on Health and Human
 1-4 Services; April 8, 2013, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 April 8, 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 S.B. No. 978 By: Deuell

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

1-21 relating to regulation by the Texas Medical Board of local
 1-22 anesthesia and peripheral nerve blocks administered in an
 1-23 outpatient setting.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 162.103, Occupations Code, is amended to
 1-26 read as follows:

1-27 Sec. 162.103. APPLICABILITY. Rules adopted by the board
 1-28 under this subchapter do not apply to:

1-29 (1) an outpatient setting in which only local
 1-30 anesthesia, peripheral nerve blocks, or both are used in a total
 1-31 dosage amount that does not exceed 50 percent of the recommended
 1-32 maximum safe dosage per outpatient visit;

1-33 (2) a licensed hospital, including an outpatient
 1-34 facility of the hospital that is located separate from the
 1-35 hospital;

1-36 (3) a licensed ambulatory surgical center;

1-37 (4) a clinic located on land recognized as tribal land
 1-38 by the federal government and maintained or operated by a federally
 1-39 recognized Indian tribe or tribal organization as listed by the
 1-40 United States secretary of the interior under 25 U.S.C. Section
 1-41 479a-1 or as listed under a successor federal statute or
 1-42 regulation;

1-43 (5) a facility maintained or operated by a state or
 1-44 local governmental entity;

1-45 (6) a clinic directly maintained or operated by the
 1-46 United States; or

1-47 (7) an outpatient setting accredited by:

1-48 (A) ~~The [the] Joint Commission [on Accreditation~~
 1-49 ~~of Healthcare Organizations]~~ relating to ambulatory surgical
 1-50 centers;

1-51 (B) the American Association for [the]
 1-52 Accreditation of Ambulatory Surgery Facilities; or

1-53 (C) the Accreditation Association for Ambulatory
 1-54 Health Care.

1-55 SECTION 2. The change in law made by this Act to Section
 1-56 162.103, Occupations Code, and rules adopted by the Texas Medical
 1-57 Board under Subchapter C, Chapter 162, Occupations Code, apply only
 1-58 to an outpatient setting in which only local anesthesia, peripheral
 1-59 nerve blocks, or both are used on or after the effective date of
 1-60 this Act. An outpatient setting in which only local anesthesia,

2-1 peripheral nerve blocks, or both are used before the effective date
2-2 of this Act is governed by the law in effect on the date the local
2-3 anesthesia, peripheral nerve blocks, or both are used, and the
2-4 former law is continued in effect for that purpose.

2-5 SECTION 3. This Act takes effect September 1, 2013.

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