

By: Whitmire

S.B. No. 1235

A BILL TO BE ENTITLED

AN ACT

relating to defining the duties and to the penalties concerning pain management clinics.

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

SECTION 1. Section 168.001, Occupations Code, is amended to read as follows:

Sec. 168.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

(1) [~~In this chapter,~~] "Pain [~~pain~~] management clinic" means a publicly or privately owned facility for which a majority of patients are issued on a monthly basis a prescription for opioids, benzodiazepines, barbiturates, or carisoprodol, but not including suboxone.

(2) "Operator" means an owner, medical director, or physician affiliated or associated with the pain management clinic in any capacity. Each of these individuals is considered to be operating at the pain management clinic.

SECTION 2. Section 168.201(d), Occupations Code, is amended to read as follows:

(d) A person who owns or operates a pain management clinic is engaged in the practice of medicine. This shall include, but is not limited to, all supervision and delegation activities related to the pain management clinic.

SECTION 3. Section 168.202(c), Occupations Code, is amended by adding Subsection (c) to read as follows:

1            (c) A violation of this chapter is subject to criminal  
2 prosecution under Section [165.152](#).

3            SECTION 4. This Act takes effect September 1, 2015.