

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.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1235 passed the Senate on April 13, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1235 passed the House on May 19, 2015, by the following vote: Yeas 144, Nays 2, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor