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HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: ZEDLER

Amend H.B. No. 1 by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 6. Section 154.002(a)(6) Occupations Code, is amended to read as follows:

(6) a statistical report each fiscal year to the legislature, Office of the Ombudsman, and the public that provides aggregate information about all complaints received by, and complaints against, the board categorized by type of complaint, including administrative, quality of care, medical error, substance abuse, other criminal behavior, and the disposition of those complaints by category;

SECTION \_\_\_\_\_. Sec. 154.0535(b), Occupations Code, is amended to read as follows:

(b) The board may not accept anonymous complaints, and will investigate for alleged bad-faith complaints against licensees. If the board determines bad-faith reporting has occurred, it will dismiss such allegations, expunge the licensee's record of the allegation(s), and may refer the false reporting to appropriate authorities.

SECTION \_\_\_\_\_. Section 154.0545, Occupations Code is added, entitled "Complaints against the Board- Ombudsman Services", and reads:

Complaints against the Board will be referred to The Office of the Ombudsman's services of the Health and Human Services Commission. The purpose and function of the Ombudsman shall be to:

- Conduct independent reviews of complaints concerning

agency policies or practices

- Ensure policies and practices are consistent with the Medical Practice Act, other state and or federal laws, and Board Rules.

- Ensure individuals are treated fairly, respectfully and with dignity.

- Make referrals to other agencies as appropriate for investigation of any violations of law or Rules.

SECTION \_\_\_\_\_. Section 154.055(a), Occupations Code, is amended to read as follows:

On request from a legislative committee created under Subchapter B, Chapter 301, Government Code, the board shall release all information regarding complaints against the board, or a complaint against a physician, to aid in a legitimate legislative inquiry. The board may release the information only to the members of the committee.