

By: Raymond

H.B. No. 2967

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the continuation and functions of the State Board of
3 Veterinary Medical Examiners; authorizing a reduction in fees;
4 providing penalties.

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

6 SECTION 1. Section 801.003, Occupations Code, is amended to
7 read as follows:

8 Sec. 801.003. APPLICATION OF SUNSET ACT. The State Board of
9 Veterinary Medical Examiners is subject to Chapter 325, Government
10 Code (Texas Sunset Act). Unless continued in existence as provided
11 by that chapter, the board is abolished and this chapter expires
12 September 1, 2021 [~~2017~~].

13 SECTION 2. Section 801.051(a), Occupations Code, is amended
14 to read as follows:

15 (a) The State Board of Veterinary Medical Examiners
16 consists of nine members appointed by the governor with the advice
17 and consent of the senate as follows:

18 (1) five [~~six~~] veterinarian members, including:

19 (A) one veterinarian member who is associated
20 with an animal shelter; and

21 (B) one veterinarian member who has at least
22 three years of experience practicing veterinary medicine in this
23 state on horses, livestock, or other large animals; [~~and~~]

24 (2) one licensed veterinary technician member; and

1 (3) three members who represent the public.

2 SECTION 3. Section 801.057, Occupations Code, is amended by
3 amending Subsection (b) and adding Subsection (d) to read as
4 follows:

5 (b) The training program must provide the person with
6 information regarding:

7 (1) the law governing board operations;

8 (2) the [~~legislation that created the board and the~~
9 ~~board's~~] programs, functions, rules, and budget of the board;

10 (3) the scope of and limitations on the rulemaking
11 authority of the board;

12 (4) [~~(2)~~] the results of the most recent formal audit
13 of the board;

14 (5) [~~(3)~~] the requirements of:

15 (A) laws relating to open meetings, public
16 information, administrative procedure, and disclosing conflicts of
17 interest; and

18 (B) other laws applicable to members of the board
19 in performing their duties; and

20 (6) [~~(4)~~] any applicable ethics policies adopted by
21 the board or the Texas Ethics Commission.

22 (d) The executive director of the board shall create a
23 training manual that includes the information required by
24 Subsection (b). The executive director shall distribute a copy of
25 the training manual annually to each board member. On receipt of the
26 training manual, each board member shall sign and submit to the
27 executive director a statement acknowledging receipt of the

1 training manual.

2 SECTION 4. Section 801.154, Occupations Code, is amended to
3 read as follows:

4 Sec. 801.154. FEES. [~~(a)~~] The board by rule shall set fees
5 in amounts that are reasonable and necessary so that the fees, in
6 the aggregate, cover the costs of administering this chapter. [~~The~~
7 ~~board may not set a fee that existed on September 1, 1993, in an~~
8 ~~amount that is less than the fee on that date.~~]

9 SECTION 5. Subchapter D, Chapter 801, Occupations Code, is
10 amended by adding Section 801.164 to read as follows:

11 Sec. 801.164. RISK-BASED INSPECTIONS RELATED TO CONTROLLED
12 SUBSTANCES PRACTICES. The board may conduct a risk-based inspection
13 of a veterinarian's practice based on information obtained from the
14 veterinarian or another source concerning the veterinarian's use,
15 handling, prescribing, dispensing, or delivery of controlled
16 substances.

17 SECTION 6. Section 801.205, Occupations Code, is amended to
18 read as follows:

19 Sec. 801.205. GENERAL RULES REGARDING COMPLAINT
20 INVESTIGATION AND DISPOSITION. The board shall adopt rules
21 relating to the investigation of complaints filed with the board.
22 The rules must:

23 (1) distinguish between categories of complaints;
24 (2) ensure that complaints are not dismissed without
25 appropriate consideration;

26 (3) require that the board be advised of a complaint
27 that is dismissed [~~and that a written explanation be given to the~~

1 ~~person who filed the complaint explaining the action taken on the~~
2 ~~dismissed complaint];~~

3 (4) ensure that the person who filed the complaint has
4 the opportunity to explain the allegations made in the complaint;
5 and

6 (5) prescribe guidelines concerning the categories of
7 complaints that require the use of a private investigator and the
8 procedures for the board to obtain the services of a private
9 investigator.

10 SECTION 7. Section [801.2055](#), Occupations Code, is amended
11 to read as follows:

12 Sec. 801.2055. COMPLAINTS REQUIRING MEDICAL EXPERTISE. (a)
13 A complaint that requires medical expertise to review must be
14 reviewed by one ~~[two]~~ or more veterinarians designated by the
15 ~~[veterinarian] board [members]~~. The veterinarian reviewers [board
16 ~~members]~~ shall determine whether to dismiss the complaint or refer
17 it to an informal proceeding under Section [801.408](#).

18 (b) If the veterinarian reviewers determine to:

19 (1) dismiss the complaint, the dismissal must be
20 approved by the board at a public meeting; or

21 (2) refer the complaint to an informal proceeding, the
22 complaint is referred to an informal proceeding under Section
23 [801.408](#).

24 (c) If the board designates more than one veterinarian
25 reviewer and the reviewers [members] do not agree to dismiss or
26 refer the complaint to an informal proceeding, the complaint is
27 referred to an informal proceeding under Section [801.408](#).

1 (d) A veterinarian board member who reviews a complaint
2 under this section may not participate in any subsequent
3 disciplinary proceeding related to the complaint.

4 SECTION 8. Section 801.207, Occupations Code, is amended by
5 amending Subsection (b) and adding Subsection (c) to read as
6 follows:

7 (b) Each complaint, investigation file and record, and
8 other investigation report and all other investigative information
9 in the possession of or received or gathered by the board or the
10 board's employees or agents relating to a license holder, an
11 application for license, or a criminal investigation or proceeding
12 is privileged and confidential and is not subject to discovery,
13 subpoena, or other means of legal compulsion for release to anyone
14 other than the board or the board's employees or agents involved in
15 discipline of a license holder [~~An investigation record of the~~
16 ~~board, including a record relating to a complaint that is found to~~
17 ~~be groundless, is confidential].~~

18 (c) The board shall protect the identity of a complainant to
19 the extent possible.

20 SECTION 9. Subchapter E, Chapter 801, Occupations Code, is
21 amended by adding Section 801.208 to read as follows:

22 Sec. 801.208. NOTIFICATION TO COMPLAINANT REGARDING
23 COMPLAINT DISPOSITION. (a) The board shall promptly notify a
24 complainant of the final disposition of the complaint, including
25 notice:

26 (1) that the complaint was dismissed;

27 (2) that a penalty, disciplinary action, or other

1 sanction was imposed; or

2 (3) that the complaint was disposed of in another
3 manner and the nature of that disposition.

4 (b) The board shall include with the notification a copy of
5 any public sanction imposed by the board.

6 (c) The board shall include in the notification an
7 explanation of each reason for the disposition, including, as
8 applicable, in plain, easily understandable language, each reason
9 the conduct alleged in the complaint did or did not constitute
10 grounds for the imposition of a penalty, disciplinary action, or
11 other sanction.

12 (d) The notification may not include information that is
13 confidential under Section 801.207(b).

14 SECTION 10. Subchapter E, Chapter 801, Occupations Code, is
15 amended by adding Section 801.209 to read as follows:

16 Sec. 801.209. REQUIREMENTS FOR CERTAIN COMPLAINTS. (a) In
17 this section:

18 (1) "Anonymous complaint" means a complaint that lacks
19 sufficient information to identify the source or the name of the
20 person who filed the complaint.

21 (2) "Insurance professional" means a person licensed
22 under Title 13, Insurance Code.

23 (3) "Insurer" means an insurance company or other
24 entity authorized to engage in the business of insurance under
25 Title 6, Insurance Code.

26 (b) The board may not accept anonymous complaints.

27 (c) Notwithstanding any confidentiality requirements under

1 Chapter 552, Government Code, or this chapter, a complaint filed
2 with the board against a license holder by a pharmaceutical company
3 or by an insurance professional or insurer relating to insurance
4 covering veterinary services must include the name and address of
5 the pharmaceutical company, insurance professional, or insurer
6 filing the complaint. Not later than the 15th day after the date
7 the complaint is filed with the board, the board shall notify the
8 license holder who is the subject of the complaint of the name and
9 address of the pharmaceutical company, insurance professional, or
10 insurer who filed the complaint, unless the notice would jeopardize
11 an investigation.

12 SECTION 11. Subchapter F, Chapter 801, Occupations Code, is
13 amended by adding Section 801.267 to read as follows:

14 Sec. 801.267. CRIMINAL HISTORY RECORD INFORMATION FOR
15 LICENSE ISSUANCE. (a) The board shall require that an applicant for
16 a license submit a complete and legible set of fingerprints, on a
17 form prescribed by the board, to the board or to the Department of
18 Public Safety for the purpose of obtaining criminal history record
19 information from the Department of Public Safety and the Federal
20 Bureau of Investigation.

21 (b) The board may not issue a license to a person who does
22 not comply with the requirement of Subsection (a).

23 (c) The board shall conduct a criminal history record
24 information check of each applicant for a license using
25 information:

26 (1) provided by the individual under this section; and

27 (2) made available to the board by the Department of

1 Public Safety, the Federal Bureau of Investigation, and any other
2 criminal justice agency under Chapter 411, Government Code.

3 (d) The board may:

4 (1) enter into an agreement with the Department of
5 Public Safety to administer a criminal history record information
6 check required under this section; and

7 (2) authorize the Department of Public Safety to
8 collect from each applicant the costs incurred by the Department of
9 Public Safety in conducting the criminal history record information
10 check.

11 SECTION 12. Section 801.301, Occupations Code, is amended
12 to read as follows:

13 Sec. 801.301. LICENSE TERM AND ~~[ANNUAL]~~ RENEWAL ~~[REQUIRED]~~.

14 (a) The board shall provide:

15 (1) that each type of license under this chapter is
16 valid for a term of one year or two years; and

17 (2) for the ~~[annual]~~ renewal of a license.

18 (b) The board by rule may adopt a system under which
19 licenses expire on various dates during the year.

20 (c) For a year in which the license expiration date is
21 changed, the board shall prorate license fees ~~[payable on March 1~~
22 ~~shall be prorated]~~ on a monthly basis so that each license holder
23 pays only that portion of the fee that is allocable to the number of
24 months during which the license is valid. On renewal of the license
25 on the new expiration date, the total license renewal fee is
26 payable.

27 SECTION 13. Sections 801.307(b) and (c), Occupations Code,

1 are amended to read as follows:

2 (b) The board may:

3 (1) establish general categories of continuing
4 education that meet the needs of license holders; ~~and~~

5 (2) require a license holder to successfully complete
6 continuing education courses; and

7 (3) for a license valid for two years, provide a one
8 year or two year period for the completion of continuing education.

9 (c) The board may require a license holder who does not
10 complete the required number of hours of continuing education in a
11 period ~~[year]~~ to make up the missed hours in a later period
12 ~~[years]~~. Hours required to be made up in a later period ~~[year]~~ are
13 in addition to the hours normally required to be completed in that
14 period ~~[year]~~.

15 SECTION 14. Subchapter G, Chapter 801, Occupations Code, is
16 amended by adding Section 801.309 to read as follows:

17 Sec. 801.309. CRIMINAL HISTORY RECORD INFORMATION
18 REQUIREMENT FOR LICENSE RENEWAL. (a) An applicant renewing a
19 license issued under this chapter shall submit a complete and
20 legible set of fingerprints for purposes of performing a criminal
21 history record information check of the applicant as provided by
22 Section 801.267.

23 (b) The board may administratively suspend or refuse to
24 renew the license of a person who does not comply with the
25 requirement of Subsection (a).

26 (c) A license holder is not required to submit fingerprints
27 under this section for the renewal of the license if the license

1 holder has previously submitted fingerprints under:

2 (1) Section 801.267 for the initial issuance of the
3 license; or

4 (2) this section as part of a prior license renewal.

5 SECTION 15. Subchapter H, Chapter 801, Occupations Code, is
6 amended by adding Section 801.3591 to read as follows:

7 Sec. 801.3591. REPORT OF CONTROLLED SUBSTANCES DISPENSED.

8 (a) A veterinarian shall submit to the Texas State Board of Pharmacy
9 a record of each controlled substance dispensed by the
10 veterinarian, including:

11 (1) the name, strength, and quantity of the substance
12 dispensed;

13 (2) the date the substance was dispensed;

14 (3) the name of the animal;

15 (4) the species, gender, and actual or estimated date
16 of birth of the animal;

17 (5) the name and address of the animal's owner;

18 (6) the directions for use of the substance;

19 (7) the intended use of the substance;

20 (8) the name, address, Federal Drug Enforcement
21 Administration number, and telephone number of the veterinarian at
22 the veterinarian's usual place of business; and

23 (9) any other information required by the joint rules
24 adopted under this section.

25 (b) The board and the Texas State Board of Pharmacy shall
26 jointly adopt rules to implement this section, including rules
27 providing the form of the records and the time and manner for

1 submitting the records. The form, time, and manner must be similar
2 to the requirements for a pharmacist to submit dispensing
3 information under Section 481.074, Health and Safety Code.

4 (c) The Texas State Board of Pharmacy shall make information
5 submitted under this section available in the manner provided by
6 Section 481.076, Health and Safety Code. For purposes of Chapter
7 481, Health and Safety Code, a record submitted to the Texas State
8 Board of Pharmacy under this section is considered to be official
9 prescription information submitted to that board under Section
10 481.074(q) or 481.075, Health and Safety Code.

11 SECTION 16. Subchapter H, Chapter 801, Occupations Code, is
12 amended by adding Section 801.3592 to read as follows:

13 Sec. 801.3592. DUTIES RELATED TO PRESCRIBING OR DISPENSING
14 CERTAIN DRUGS. (a) A veterinarian may not provide a prescription
15 for or deliver a drug listed in Subsection (b) to a client unless
16 the veterinarian has reviewed the prescription and dispensing
17 history of animals associated with the client by accessing the
18 prescription and dispensing information submitted to the Texas
19 State Board of Pharmacy as authorized by Section 481.076(a)(5),
20 Health and Safety Code.

21 (b) Subsection (a) applies only to the prescribing and
22 dispensing of:

- 23 (1) opioids;
24 (2) benzodiazepines;
25 (3) barbiturates; or
26 (4) carisoprodol.

27 (c) Failure by a veterinarian to comply with the

1 requirements of this section is grounds for disciplinary action
2 under Section 801.402.

3 SECTION 17. Section 801.402, Occupations Code, is amended
4 to read as follows:

5 Sec. 801.402. GENERAL GROUNDS FOR LICENSE DENIAL OR
6 DISCIPLINARY ACTION. A person is subject to denial of a license or
7 to disciplinary action under Section 801.401 if the person:

8 (1) presents to the board dishonest or fraudulent
9 evidence of the person's qualifications;

10 (2) commits fraud or deception in the examination
11 process or to obtain a license;

12 (3) is chronically or habitually intoxicated,
13 chemically dependent, or addicted to drugs;

14 (4) engages in dishonest or illegal practices in, or
15 connected with, the practice of veterinary medicine or the practice
16 of equine dentistry;

17 (5) is convicted of a felony under the laws of this
18 state, another state, or the United States;

19 (6) engages in practices or conduct that violates the
20 board's rules of professional conduct;

21 (7) permits another to use the person's license to
22 practice veterinary medicine or to practice equine dentistry in
23 this state;

24 (8) fraudulently issues a health certificate,
25 vaccination certificate, test chart, or other form used in the
26 practice of veterinary medicine or the practice of equine dentistry
27 that relates to the presence or absence of animal disease;

1 (9) issues a false certificate relating to the sale
2 for human consumption of inedible animal products;

3 (10) commits fraud in connection with the application
4 or reporting of a test of animal disease;

5 (11) pays or receives a kickback, rebate, bonus, or
6 other remuneration for treating an animal or for referring a client
7 to another provider of veterinary or equine dental services or
8 goods;

9 (12) performs or prescribes unnecessary or
10 unauthorized treatment;

11 (13) orders a prescription drug or controlled
12 substance for the treatment of an animal without first establishing
13 a veterinarian-client-patient relationship;

14 (14) refuses to admit a board representative to
15 inspect the person's client and patient records and business
16 premises during regular business hours;

17 (15) fails to keep the person's equipment and business
18 premises in a sanitary condition;

19 (16) commits gross malpractice or a pattern of acts
20 that indicate consistent malpractice, negligence, or incompetence
21 in the practice of veterinary medicine or the practice of equine
22 dentistry;

23 (17) is subject to disciplinary action in another
24 jurisdiction, including the suspension, probation, or revocation
25 of a license to practice veterinary medicine or to practice equine
26 dentistry issued by another jurisdiction;

27 (18) is convicted for an offense under Section [42.09](#),

1 42.091, or 42.092, Penal Code;

2 (19) represents the person as a veterinarian without a
3 license issued under this chapter;

4 (20) practices veterinary medicine or assists in the
5 practice of veterinary medicine without a license issued under this
6 chapter; ~~[or]~~

7 (21) violates Section 801.353 or a rule adopted by the
8 board related to confidentiality;

9 (22) violates Section 801.3591 or a joint rule adopted
10 under that section; or

11 (23) violates Section 801.3592.

12 SECTION 18. The heading to Section 801.407, Occupations
13 Code, is amended to read as follows:

14 Sec. 801.407. RIGHT TO HEARING [~~; SCHEDULE OF SANCTIONS~~].

15 SECTION 19. Section 801.407(c), Occupations Code, is
16 amended to read as follows:

17 (c) The State Office of Administrative Hearings shall use
18 the schedule of sanctions under Section 801.411 [~~adopted by board~~
19 ~~rule~~] for any sanction imposed as the result of a hearing conducted
20 by that office.

21 SECTION 20. Subchapter I, Chapter 801, Occupations Code, is
22 amended by adding Section 801.411 to read as follows:

23 Sec. 801.411. SCHEDULE OF SANCTIONS. (a) The board by rule
24 shall adopt a schedule of penalties, disciplinary actions, and
25 other sanctions that the board may impose under this chapter.

26 (b) In adopting the schedule of sanctions under Subsection
27 (a), the board shall ensure that the severity of the sanction

1 imposed is appropriate to the type of violation or conduct that is
2 the basis for disciplinary action. The schedule must provide that
3 the type of disciplinary action or other sanction and the amount of
4 a penalty imposed under this chapter must be based on:

5 (1) the seriousness of the violation, including:

6 (A) the nature, circumstances, extent, and
7 gravity of any prohibited act; and

8 (B) the hazard or potential hazard created to the
9 health, safety, or economic welfare of the public;

10 (2) the economic harm to property or the environment
11 caused by the violation;

12 (3) the history of previous violations;

13 (4) the amount of penalty or type of disciplinary
14 action or sanction necessary to deter a future violation;

15 (5) efforts to correct the violation; and

16 (6) any other matter that justice may require.

17 SECTION 21. Sections 801.452(b) and (c), Occupations Code,
18 are amended to read as follows:

19 (b) The amount of the penalty shall be based on the schedule
20 of sanctions adopted under Section 801.411 [+

21 ~~[(1) the seriousness of the violation, including:~~

22 ~~[(A) the nature, circumstances, extent, and~~
23 ~~gravity of any prohibited act; and~~

24 ~~[(B) the hazard or potential hazard created to~~
25 ~~the health, safety, or economic welfare of the public;~~

26 ~~[(2) the economic harm to property or the environment~~
27 ~~caused by the violation;~~

1 ~~[(3) the history of previous violations,~~
2 ~~[(4) the amount necessary to deter a future violation,~~
3 ~~[(5) efforts to correct the violation; and~~
4 ~~[(6) any other matter that justice may require].~~

5 (c) A committee described by Section 801.408(c) or (d) shall
6 recommend the amount of the administrative penalty based on the
7 schedule of sanctions adopted under Section 801.411 ~~[a standardized~~
8 ~~penalty schedule. The board by rule shall develop the standardized~~
9 ~~penalty schedule based on the criteria listed in Subsection (b)].~~

10 SECTION 22. Subchapter K, Chapter 801, Occupations Code, is
11 amended by adding Section 801.5011 to read as follows:

12 Sec. 801.5011. MONITORING HARMFUL PRESCRIBING AND
13 DISPENSING PATTERNS. (a) The board shall periodically check the
14 prescribing and dispensing information submitted to the Texas State
15 Board of Pharmacy as authorized by Section 481.076(a)(1), Health
16 and Safety Code, to determine whether a veterinarian is engaging in
17 potentially harmful prescribing or dispensing patterns or
18 practices.

19 (b) The board, in coordination with the Texas State Board of
20 Pharmacy, shall determine the conduct that constitutes a
21 potentially harmful prescribing or dispensing pattern or practice
22 for purposes of Subsection (a). In determining the conduct that
23 constitutes a potentially harmful prescribing or dispensing
24 pattern or practice, the board, at a minimum, shall consider:

25 (1) the number of times a veterinarian prescribes or
26 dispenses a drug listed in Section 801.3592(b); and

27 (2) for prescriptions and dispensations described by

1 Subdivision (1), patterns of prescribing or dispensing
2 combinations of those drugs and other dangerous combinations of
3 drugs identified by the board.

4 (c) If the board suspects that a veterinarian may be
5 engaging in potentially harmful prescribing or dispensing patterns
6 or practices, the board may notify the veterinarian of the
7 potentially harmful prescribing or dispensing pattern or practice.

8 (d) The board may initiate a complaint against a
9 veterinarian based on information obtained under this section.

10 SECTION 23. (a) For purposes of Section 801.003,
11 Occupations Code, as amended by this Act, the Sunset Advisory
12 Commission shall conduct a special-purpose review of the State
13 Board of Veterinary Medical Examiners for the 87th Legislature.

14 (b) In conducting the special-purpose review under this
15 section:

16 (1) the Sunset Advisory Commission staff evaluation
17 and report must be limited to reviewing the effectiveness of
18 recommendations made by the Sunset Advisory Commission to the 85th
19 Legislature; and

20 (2) the Sunset Advisory Commission's recommendations
21 to the 87th Legislature may include any recommendation the
22 commission considers appropriate based on the special-purpose
23 review.

24 SECTION 24. (a) The terms of office of the members of the
25 State Board of Veterinary Medical Examiners expire September 1,
26 2017.

27 (b) As soon as practicable on or after September 1, 2017,

1 the governor shall appoint to the State Board of Veterinary Medical
2 Examiners:

3 (1) one member described by Section 801.051(a)(1), one
4 member described by Section 801.051(a)(2), and one member described
5 by Section 801.051(a)(3), Occupations Code, as amended by this Act,
6 to terms expiring February 1, 2019;

7 (2) two members described by Section 801.051(a)(1) and
8 one member described by Section 801.051(a)(3), Occupations Code, as
9 amended by this Act, to terms expiring February 1, 2021; and

10 (3) two members described by Section 801.051(a)(1) and
11 one member described by Section 801.051(a)(3), Occupations Code, as
12 amended by this Act, to terms expiring February 1, 2023.

13 (c) A person who was appointed to the State Board of
14 Veterinary Medical Examiners on or before January 1, 2016, is not
15 eligible for appointment under Subsection (b) of this section.

16 (d) Notwithstanding Subsection (a) of this section, the
17 members of the State Board of Veterinary Medical Examiners holding
18 office on August 31, 2017, shall continue to perform the duties of
19 their offices until the first date on which at least five members
20 appointed under Subsection (b) of this section have completed the
21 training program under Section 801.057, Occupations Code, as
22 amended by this Act.

23 SECTION 25. (a) Except as provided by Subsection (b) of this
24 section, Section 801.057, Occupations Code, as amended by this Act,
25 applies to a member of the State Board of Veterinary Medical
26 Examiners appointed before, on, or after the effective date of this
27 Act.

1 (b) A member of the State Board of Veterinary Medical
2 Examiners who, before the effective date of this Act, completed the
3 training program required by Section 801.057, Occupations Code, as
4 that law existed before the effective date of this Act, is only
5 required to complete additional training on the subjects added by
6 this Act to the training program required by Section 801.057,
7 Occupations Code. A board member described by this subsection may
8 not vote, deliberate, or be counted as a member in attendance at a
9 meeting of the board held on or after December 1, 2017, until the
10 member completes the additional training.

11 SECTION 26. (a) The following changes in law apply only to a
12 complaint filed with the State Board of Veterinary Medical
13 Examiners on or after the effective date of this Act:

14 (1) Section 801.205, Occupations Code, as amended by
15 this Act;

16 (2) Section 801.2055, Occupations Code, as amended by
17 this Act;

18 (3) Section 801.207(b), Occupations Code, as amended
19 by this Act, and Section 801.207(c), Occupations Code, as added by
20 this Act;

21 (4) Section 801.208, Occupations Code, as added by
22 this Act; and

23 (5) Section 801.209, Occupations Code, as added by
24 this Act.

25 (b) A complaint filed before the effective date of this Act
26 is governed by the law in effect on the date the complaint was
27 filed, and the former law is continued in effect for that purpose.

1 SECTION 27. Sections 801.267 and 801.309, Occupations Code,
2 as added by this Act, apply only to an application for the issuance
3 or renewal of a license submitted to the State Board of Veterinary
4 Medical Examiners on or after the effective date of this Act. An
5 application submitted before the effective date of this Act is
6 governed by the law in effect on the date the application was
7 submitted, and the former law is continued in effect for that
8 purpose.

9 SECTION 28. As soon as practicable after this Act has become
10 law for purposes of Section 2001.006, Government Code, the State
11 Board of Veterinary Medical Examiners and the Texas State Board of
12 Pharmacy shall jointly adopt rules under Section 801.3591,
13 Occupations Code, as added by this Act.

14 SECTION 29. Sections 801.407(c), 801.452(b), and
15 801.452(c), Occupations Code, as amended by this Act, and Section
16 801.411, Occupations Code, as added by this Act, apply only to
17 conduct that occurs on or after the date that rules under Section
18 801.411 become effective. Conduct that occurs before that date is
19 governed by the law in effect immediately before the effective date
20 of this Act, and the former law is continued in effect for that
21 purpose.

22 SECTION 30. (a) Except as otherwise provided by Subsection
23 (b) of this section, this Act takes effect September 1, 2017.

24 (b) Sections 801.3592 and 801.402(23), Occupations Code, as
25 added by this Act, take effect September 1, 2018.