

1-1 By: Hancock S.B. No. 1520  
 1-2 (In the Senate - Filed March 8, 2017; March 20, 2017, read  
 1-3 first time and referred to Committee on Business & Commerce;  
 1-4 May 1, 2017, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 0; May 1, 2017,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Hancock	X			
1-9 Creighton	X			
1-10 Campbell	X			
1-11 Estes			X	
1-12 Nichols	X			
1-13 Schwertner	X			
1-14 Taylor of Galveston	X			
1-15 Whitmire	X			
1-16 Zaffirini	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1520 By: Hancock

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

1-21 relating to duties of physicians and certain other entities  
 1-22 regarding patient records.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 159.006, Occupations Code, is amended by  
 1-25 adding Subsections (f), (g), and (h) to read as follows:

1-26 (f) If a physician retires from, terminates employment  
 1-27 with, or otherwise leaves a medical practice, the medical practice  
 1-28 shall provide to the departing physician:

1-29 (1) a list of each patient seen or treated by the  
 1-30 departing physician in the two years preceding the date of the  
 1-31 physician's departure, along with the patient's most recent  
 1-32 available contact information; and

1-33 (2) on written authorization of a patient of the  
 1-34 departing physician:

1-35 (A) access to the patient's medical records; and

1-36 (B) copies of the patient's medical records, on  
 1-37 payment of a fee in the amount prescribed by the board under Section  
 1-38 159.008(a).

1-39 (g) Unless the departing physician and medical practice  
 1-40 agree otherwise, the list and medical records described by  
 1-41 Subsection (f) shall be provided to the departing physician in the  
 1-42 same format in which the records are maintained by the medical  
 1-43 practice.

1-44 (h) The requirements of Subsection (f) may not be waived,  
 1-45 voided, or nullified by contract.

1-46 SECTION 2. Chapter 159, Occupations Code, is amended by  
 1-47 adding Section 159.011 to read as follows:

1-48 Sec. 159.011. NOTICE TO PATIENT OF PHYSICIAN DEPARTING  
 1-49 MEDICAL PRACTICE. (a) The board by rule shall require that a  
 1-50 physician notify the physician's patients before retiring from,  
 1-51 terminating employment with, or otherwise leaving a medical  
 1-52 practice and provide the patients the opportunity to request copies  
 1-53 of billing or medical records under Section 159.006.

1-54 (b) The requirements of Subsection (a) may not be waived,  
 1-55 voided, or nullified by contract.

1-56 SECTION 3. Section 159.006, Occupations Code, as amended by  
 1-57 this Act, and Section 159.011, Occupations Code, as added by this  
 1-58 Act, apply only to a contract entered into or renewed on or after  
 1-59 the effective date of this Act. A contract entered into or renewed  
 1-60 before the effective date of this Act is governed by the law in

2-1 effect on the date the contract was entered into or renewed, and the  
2-2 former law is continued in effect for that purpose.

2-3 SECTION 4. This Act takes effect September 1, 2017.

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