

Amend **CSHB 2847** (house committee report) by adding the following appropriately numbered SECTIONS to ARTICLE 5 of the bill and renumbering SECTIONS of that article accordingly:

SECTION 5.\_\_\_\_. Subchapter H, Chapter 202, Occupations Code, is amended by adding Section 202.354 to read as follows:

Sec. 202.354. DELEGATION OF CERTAIN ACTS. (a) A podiatrist may delegate to a qualified and properly trained podiatric medical assistant acting under the podiatrist's supervision any podiatric medical act that a reasonable and prudent podiatrist would find within the scope of sound medical judgment to delegate if:

(1) in the opinion of the delegating podiatrist, the medical act:

(A) can be properly and safely performed by the podiatric medical assistant to whom the podiatric medical act is delegated; and

(B) is performed in a customary manner and not in violation of any other statute; and

(2) the podiatric medical assistant to whom the podiatric medical act is delegated does not represent to the public that the medical assistant is authorized to practice podiatry.

(b) A delegating podiatrist is responsible for a podiatric medical act performed by the podiatric medical assistant to whom the podiatrist delegates the act.

SECTION 5.\_\_\_\_. Subchapter D, Chapter 601, Occupations Code, is amended by adding Section 601.157 to read as follows:

Sec. 601.157. PERSON SUPERVISED BY PODIATRIST. A person is not required to hold a certificate issued under this chapter to perform a radiologic procedure if:

(1) the procedure is performed under the supervision of a podiatrist; and

(2) the person:

(A) is registered with the Texas Department of Licensing and Regulation to assist a podiatrist; and

(B) complies with rules adopted under Section 601.252(e).

SECTION 5.\_\_\_\_. Section 601.251, Occupations Code, is amended to read as follows:

Sec. 601.251. APPLICABILITY. This subchapter applies to the:

- (1) Texas Board of Nursing;
- (2) Texas Board of Chiropractic Examiners;
- (3) State Board of Dental Examiners;
- (4) Texas Medical Board;
- (5) Texas Department of Licensing and Regulation, with respect to the department's authority to regulate podiatrists [~~State Board of Podiatric Medical Examiners~~]; and
- (6) Texas Physician Assistant Board.

SECTION 5.\_\_\_\_. Section 601.252, Occupations Code, is amended by adding Subsections (e) and (f) to read as follows:

(e) Rules adopted under this section by the Texas Commission of Licensing and Regulation must:

(1) require an authorized person who performs radiologic procedures under the delegation of a podiatrist, other than a registered nurse, to register with the Texas Department of Licensing and Regulation;

(2) establish reasonable and necessary fees to cover the administrative costs incurred by the Texas Department of Licensing and Regulation in administering a registration program created under this subsection;

(3) establish grounds for the suspension, revocation, or nonrenewal of a registration issued under this subsection; and

(4) establish standards for training and supervising the operators of the equipment.

(f) In adopting rules under Subsection (e), the Texas Commission of Licensing and Regulation may take into account whether the radiologic procedure will be performed by a registered nurse.

SECTION 5.\_\_\_\_. To the extent of any conflict, Section 601.251, Occupations Code, as amended by this article, prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.