By:  Price, et al. (Senate Sponsor - Hughes, Miles) H.B. No. 2454

(In the Senate - Received from the House May 2, 2019; May 3, 2019, read first time and referred to Committee on Health & Human Services; May 20, 2019, reported favorably by the following vote: Yeas 9, Nays 0; May 20, 2019, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Kolkhorst         X

Perry             X

Buckingham        X

Campbell          X

Flores            X

Johnson           X

Miles             X

Powell            X

Seliger           X

A BILL TO BE ENTITLED

AN ACT

relating to continuing education requirements for certain health professionals regarding pain management and the prescribing of opioids.

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

SECTION 1.  Section 156.055, Occupations Code, is amended to read as follows:

Sec. 156.055.  CONTINUING EDUCATION IN PAIN MANAGEMENT AND PRESCRIPTION OF OPIOIDS [~~TREATMENT~~]. (a) A physician licensed under this subtitle who submits an application for renewal of a license that designates a direct patient care practice must complete, in accordance with this section, not less than two hours of continuing medical education regarding safe and effective pain management related to the prescription of opioids and other controlled substances, including education regarding:

(1)  reasonable standards of care;

(2)  the identification of drug-seeking behavior in patients; and

(3)  effectively communicating with patients regarding the prescription of an opioid or other controlled substance.

(b)  A physician must complete the hours required by Subsection (a) in each of the first two renewal periods following the issuance of the physician's initial registration permit under this chapter, with two of those hours to be completed not later than the first anniversary of the date of issuance.

(c)  After the period described by Subsection (b), a physician must complete not less than two hours of continuing medical education described by Subsection (a) every eight years.

(d)  The hours required by this section may be completed in any continuing medical education activity approved by the board, including medical ethics or professional responsibility education, and may be counted toward [~~and whose practice includes treating patients for pain is encouraged to include continuing medical education in pain treatment among~~] the hours of continuing medical education completed to comply with Section 156.051(a)(2).

(e)  The hours required by this section may not be used to satisfy any education required by board rule for certified pain clinic personnel.

(f)  The board shall adopt rules to implement this section.

(g)  Notwithstanding Subsections (b) and (c), a physician who on January 1, 2021, holds a license to practice medicine under this subtitle shall complete not less than two hours of continuing medical education described by Subsection (a) in each of the two renewal periods occurring after that date. This subsection expires January 1, 2026.

SECTION 2.  Section 157.0513(a), Occupations Code, is amended to read as follows:

(a)  The board, the Texas Board of Nursing, and the Texas Physician Assistant Board shall jointly develop a process:

(1)  to exchange information regarding the names, locations, and license numbers of each physician, advanced practice registered nurse, and physician assistant who has entered into a prescriptive authority agreement;

(2)  by which each board shall immediately notify the other boards when a license holder of the board becomes the subject of an investigation involving the delegation and supervision of prescriptive authority, as well as the final disposition of any such investigation; [~~and~~]

(3)  by which each board shall maintain and share a list of the board's license holders who have been subject to a final adverse disciplinary action for an act involving the delegation and supervision of prescriptive authority; and

(4)  to ensure that each advanced practice registered nurse or physician assistant who has entered into a prescriptive authority agreement authorizing the prescribing of opioids is required to complete not less than two hours of continuing education annually regarding safe and effective pain management related to the prescription of opioids and other controlled substances, including education regarding:

(A)  reasonable standards of care;

(B)  the identification of drug-seeking behavior in patients; and

(C)  effectively communicating with patients regarding the prescription of an opioid or other controlled substance.

SECTION 3.  Section 257.005, Occupations Code, is amended by adding Subsection (b-1) to read as follows:

(b-1)  The board shall require a licensed dentist whose practice includes direct patient care to complete not less than two hours of board-approved continuing education annually regarding safe and effective pain management related to the prescription of opioids and other controlled substances, including education regarding:

(1)  reasonable standards of care;

(2)  the identification of drug-seeking behavior in patients; and

(3)  effectively communicating with patients regarding the prescription of an opioid or other controlled substance.

SECTION 4.  The change in law made by this Act applies only to an application for renewal of a registration permit or license submitted on or after January 1, 2021. A renewal application submitted before January 1, 2021, is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 5.  This Act takes effect September 1, 2019.

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