

By: Price, Sheffield, Minjarez,
Thompson of Harris, VanDeaver, et al.

H.B. No. 2454

A BILL TO BE ENTITLED

AN ACT

1
2 relating to continuing education requirements for certain health
3 professionals regarding pain management and the prescribing of
4 opioids.

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

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

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

16 (1) reasonable standards of care;

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

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

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

1 the first anniversary of the date of issuance.

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

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

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

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

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

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

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

26 (1) to exchange information regarding the names,
27 locations, and license numbers of each physician, advanced practice

1 registered nurse, and physician assistant who has entered into a
2 prescriptive authority agreement;

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

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

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

19 (A) reasonable standards of care;

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

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

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

27 (b-1) The board shall require a licensed dentist whose

1 practice includes direct patient care to complete not less than two
2 hours of board-approved continuing education annually regarding
3 safe and effective pain management related to the prescription of
4 opioids and other controlled substances, including education
5 regarding:

6 (1) reasonable standards of care;

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

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

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

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