

BILL ANALYSIS

Senate Research Center
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H.B. 2758
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Legislation was passed in 2019 through H.B. 2059 that placed a requirement on multiple health care workers to obtain continuing education on human trafficking prevention. The Health and Human Services Commission (HHSC) was tasked with identifying and approving courses that would be eligible for providers.

It has been suggested that the current requirement for physicians to satisfy continuing education requirements regarding human trafficking education by completing a training course approved by HHSC limits physicians' freedom to choose other accredited courses that meet the requirements of the Texas Medical Board (TMB). Interested parties note that TMB is better equipped to provide oversight of physicians with respect to completion of these human trafficking-related educational requirements.

H.B. 2758 would allow TMB to approve training courses that satisfy human trafficking education training requirements, which should make the process simpler for tracking completion and align it with other mandated training requirements for maintaining licensure.

H.B. 2758 amends current law relating to continuing education requirements for physicians regarding the identification and assistance of trafficked persons.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Medical Board is modified in SECTION 1 (Section 156.060, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 156.060, Occupations Code, as follows:

Sec. 156.060. New heading: CONTINUING EDUCATION REGARDING THE IDENTIFICATION AND ASSISTANCE OF TRAFFICKED PERSONS. (a) Provides that this section applies only to a physician who designates a direct patient care practice on an application for renewal of a registration permit.

(b) Creates this subsection from existing text. Requires a physician licensed under Subtitle B (Physicians) who submits an application for renewal of a registration permit to complete at least one hour of continuing medical education under this section regarding the identification and assistance of trafficked persons:

(1) in the first renewal period following the issuance of the physician's initial registration permit under Chapter 156 (Registration of Physicians); and

(2) if the Texas Medical Board (TMB) approves more than one course under Subsection (d), at least once in every third renewal period following the renewal period described by Subdivision (1).

Deletes existing text requiring a physician licensed under Subtitle B who submits an application for renewal of a registration permit and who designates a direct patient care practice to complete, as part of the hours of continuing medical education required for compliance with Section 156.051(a)(2) (relating to requiring that certain continuing medical education be TMB approved), a human trafficking prevention course approved by the executive commissioner of the Health and Human Services Commission under Section 116.002 (Required Training Course on Human Trafficking Prevention for Certain Health Care Providers).

(c) Provides that the hours required by Subsection (b) are required to be designated by TMB as medical ethics or professional responsibility education and are authorized to be counted toward the hours of continuing medical education required by Section 156.051(a)(2). Deletes existing text requiring TMB to designate the human trafficking prevention course required by Subsection (a) as a medical ethics or professional responsibility course for purposes of complying with continuing medical education required by Section 156.051(a)(2). Makes conforming and nonsubstantive changes.

(d) Requires TMB to adopt rules to implement this section, including rules to establish the content of and approval requirements for continuing medical education relating to the identification and assistance of trafficked persons. Requires TMB, in adopting rules, to seek input from affected parties and review relevant courses, including courses that have been approved in other states. Requires that rules adopted under this section provide for the identification and approval of accredited continuing medical education courses that represent an appropriate spectrum of relevant information relating to the identification and assistance of trafficked persons.

(e) Authorizes a physician to satisfy the requirement of Subsection (b)(1) by completing at least one hour of a training course approved by the executive commissioner of the Health and Human Services Commission under Section 116.002. Provides that this subsection expires September 1, 2023.

(f) Requires a physician who on September 1, 2021, holds a license to practice medicine under Subtitle B, notwithstanding Subsection (b), to complete at least one hour of continuing medical education under this section regarding the identification and assistance of trafficked persons. Provides that this subsection expires January 1, 2022.

SECTION 2. Makes application of Section 156.060, Occupations Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2021.