

By: Anderson, Guillen, Stucky, Buckley,
Rogers, et al.

H.B. No. 3442

A BILL TO BE ENTITLED

AN ACT

relating to complaints filed with the State Board of Veterinary
Medical Examiners.

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

SECTION 1. Section 801.207, Occupations Code, is amended by
amending Subsections (b) and (c) and adding Subsections (b-1),
(b-2), and (b-3) to read as follows:

(b) Except as provided by Subsections (b-1) and (b-2), each
~~Each~~ complaint, investigation file and record, and other
investigation report and all other investigative information in the
possession of or received or gathered by the board or the board's
employees or agents relating to a license holder, an application
for license, or a criminal investigation or proceeding is
privileged and confidential and is not subject to discovery,
subpoena, or other means of legal compulsion for release to anyone
other than the board or the board's employees or agents involved in
discipline of a license holder.

(b-1) The board shall provide a copy of each complaint to
the license holder who is the subject of the complaint not later
than the 14th day before the date any response is due, unless
providing a copy of the complaint would jeopardize an
investigation. The board may not require the license holder to
request a copy of the complaint.

(b-2) The board shall provide to the complainant a copy of

1 any response to the complaint the license holder provides not later
2 than the 14th day after the date the board receives the response,
3 unless providing the copy would jeopardize an investigation or the
4 act alleged in the complaint is not under the board's jurisdiction.
5 If the board provides a copy of a response to a complainant, the
6 board shall include with the copy notice of the complainant's
7 opportunity to rebut the license holder's response.

8 (b-3) The board is not required to provide a copy of the
9 complaint under Subsection (b-1) or a license holder's response
10 under Subsection (b-2) for a complaint initiated by the board.

11 (c) Except as provided by Subsection (b-1), the [The] board
12 shall protect the identity of a complainant to the extent possible.

13 SECTION 2. Section 801.207, Occupations Code, as amended by
14 this Act, applies only to a complaint filed with the State Board of
15 Veterinary Medical Examiners on or after the effective date of this
16 Act. A complaint filed with the board before the effective date of
17 this Act is governed by the law in effect on the date the complaint
18 was filed, and the former law is continued in effect for that
19 purpose.

20 SECTION 3. This Act takes effect September 1, 2021.