

By: Lucio, Perry

S.B. No. 2115

A BILL TO BE ENTITLED

AN ACT

relating to the procedure for certain complaints against health care practitioners.

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

SECTION 1. Chapter 112, Occupations Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. COMPLAINT REFERRALS

Sec. 112.101. COMPLAINTS AGAINST HEALTH CARE PRACTITIONER LICENSED BY DIFFERENT LICENSING ENTITY. (a) Notwithstanding any other law, a licensing entity that receives a complaint concerning a health care practitioner who holds a license issued by a different licensing entity shall promptly forward a copy of the complaint to that licensing entity.

(b) A licensing entity may not take disciplinary action based on a complaint against a health care practitioner who holds a license issued by a different licensing entity unless:

(1) the licensing entity that issued the license refers the complaint back to the licensing entity that received the complaint for investigation and resolution; or

(2) the disciplinary action is taken under Subtitle B for practicing medicine in this state without a license.

SECTION 2. The changes in law made by this Act apply only to a complaint filed against a health care practitioner on or after the effective date of this Act. A complaint filed before the effective

1 date of this Act is governed by the law in effect on the date the
2 complaint was filed, and the former law is continued in effect for
3 that purpose.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2021.