

**House Bill 3442**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

(b-3) The board is not required to provide a copy of the complaint under Subsection (b-1) or a license holder's

SENATE VERSION (IE)

SECTION 1. Section 801.207, Occupations Code, is amended by amending Subsections (b) and (c) and adding Subsection (b-1) to read as follows: [FA1(1)]

(b) Except as provided by Subsection (b-1), 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. [FA1(2)]

(b-1) Not later than the 14th day before the date of an informal proceeding under Section 801.408, the board shall provide to the license holder who is the subject of the complaint a copy of the record of any review conducted under Section 801.2055 of a complaint requiring medical expertise. The board shall redact the name of each veterinarian who conducted the review. [FA1(3)]

CONFERENCE

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HOUSE VERSION

response under Subsection (b-2) for a complaint initiated by the board.

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

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

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

SENATE VERSION (IE)

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

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE