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| BILL ANALYSIS |

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| H.B. 3049 |
| By: Anderson |
| Agriculture & Livestock |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  Some complaints filed with the State Board of Veterinary Medical Examiners (TBVME) are meritless on their face and do not state alleged facts that support a violation of the Veterinary Licensing Act or the TBVME's rules. However, the TBVME lacks statutory authority to dismiss such cases without further investigation. These cases divert already stretched resources away from legitimate complaints, contributing to long resolution times that frustrate both licensees and the public. Similar boards, such as the State Board of Dental Examiners, have authority to dismiss complaints that do not allege an issue within their jurisdiction to resolve. H.B. 3049 seeks to address this problem by providing for the dismissal by the TBVME of a baseless or unfounded complaint in order to allow the TBVME to better utilize resources to investigate and resolve legitimate complaints that allege violations the TBVME has the ability to adjudicate. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY**  It is the committee's opinion that rulemaking authority is expressly granted to the State Board of Veterinary Medical Examiners in SECTION 1 of this bill. |
| **ANALYSIS**  H.B. 3049 amends the Occupations Code to require the State Board of Veterinary Medical Examiners (TBVME), if the TBVME determines that a complaint filed with the TBVME is baseless or unfounded, to dismiss the complaint and include a statement in the complaint's record that the complaint was dismissed because the complaint was baseless or unfounded. The bill requires the TBVME to adopt rules that establish criteria for determining that a complaint is baseless or unfounded. |
| **EFFECTIVE DATE**  September 1, 2023. |