

BILL ANALYSIS

C.S.H.B. 1771
By: Price
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

During the House Public Health Committee's interim hearings, committee members heard concerns about the lack of uniformity in recordkeeping requirements applicable to telemedicine, teledentistry, and telehealth services. In an effort to address these concerns, C.S.H.B. 1771 seeks to require each agency with regulatory authority over these service providers to adopt rules to standardize formats for and retention of records related to a patient's consent to treatment, data collection, and data sharing.

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 each state agency with regulatory authority over a health professional providing a telemedicine medical service, teledentistry dental service, or telehealth service in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1771 amends the Occupations Code to require each state agency with regulatory authority over a health professional providing a telemedicine medical service, teledentistry dental service, or telehealth service to adopt rules necessary to standardize formats for and retention of records related to a patient's consent to treatment, data collection, and data sharing. The bill requires the rules to address, as applicable, the specific consent documentation required for those services and include provisions, based on the appropriate standard of care, for consent documentation in an audio-only format.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1771 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes specific requirements for the content of the rules, whereas the introduced did not.