

BILL ANALYSIS

S.B. 415
By: Paxton
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 2019, the Texas Legislature enacted H.B. 2059, which placed a requirement on certain health care practitioners to complete continuing education on human trafficking prevention and tasked the Health and Human Services Commission (HHSC) with identifying and approving eligible courses. The HHSC-approval requirement in current law limits physicians' freedom to choose other accredited courses that meet the requirements of the Texas Medical Board (TMB). S.B. 415 seeks to allow the TMB to approve training courses that satisfy human trafficking education training requirements in an effort to simplify the process for tracking completion of these human trafficking-related educational requirements and align them with other mandated training requirements for maintaining licensure.

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 Texas Medical Board in SECTION 1 of this bill.

ANALYSIS

S.B. 415 amends the Occupations Code to replace the requirement for a state-licensed physician who submits an application for renewal of a registration permit and who designates a direct patient care practice to complete a human trafficking prevention course approved by the executive commissioner of the Health and Human Services Commission and designated by the Texas Medical Board (TMB) as a medical ethics or professional responsibility course as part of the hours of the physician's continuing medical education with a requirement for such a physician to complete at least one hour of continuing medical education regarding the identification and assistance of trafficked persons. In a temporary provision set to expire September 1, 2025, the bill provides for the transition to the new training requirement by authorizing such a physician to satisfy the training requirement by completing at least one hour of a course on human trafficking prevention approved by the executive commissioner.

S.B. 415 requires the TMB to do the following:

- adopt rules to establish the content of and approval requirements for continuing medical education relating to the identification and assistance of trafficked persons, which must provide for the identification and approval of accredited continuing medical education courses that represent an appropriate spectrum of relevant information relating to the identification and assistance of trafficked persons;
- in adopting those rules, seek input from affected parties and review relevant courses, including courses approved in other states; and

- designate the hours of continuing medical education regarding the identification and assistance of trafficked persons as medical ethics or professional responsibility education, which may be counted toward the hours needed to comply with the TMB requirement regarding a certain number of continuing medical education hours being approved by the TMB.

S.B. 415 requires a physician subject to the continuing education training requirement regarding the identification and assistance of trafficked persons to complete at least one hour of continuing education in the first renewal period following the issuance of the physician's initial registration permit. After that period, a physician must complete the training at least once in every third renewal period if the TMB approves more than one course relating to the identification and assistance of trafficked persons.

S.B. 415, in a temporary provision set to expire January 1, 2024, requires a physician who holds a medical license under the Medical Practice Act on September 1, 2023, to complete at least one hour of continuing medical education under the bill's provisions regarding the identification and assistance of trafficked persons.

S.B. 415 applies only to an application for renewal of a registration permit to practice medicine submitted on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.