

**BILL ANALYSIS**

S.B. 2256  
By: Blanco  
Public Health  
Committee Report (Unamended)

**BACKGROUND AND PURPOSE**

Many state agencies have not been afforded the opportunity to modernize their continuing education tracking systems. As a result, they currently employ legacy systems, which are often outdated and opaque. This leads to confusion among licensees regarding continuing education requirements and compliance. Moreover, unwieldy and inefficient legacy systems cause licensing agencies and staff to incur losses of time and productivity. As the state's population grows due to the number of people moving to Texas each year, some of whom are licensed health care professionals, already strained legacy systems will soon be pushed to the breaking point. S.B. 2256 will direct state health care licensing agencies to establish a modern continuing education tracking system. Additionally, this bill prohibits a licensing entity from renewing a health care practitioner's license unless the licensing entity verifies that the health care practitioner has complied with all continuing education requirements of the licensing entity.

**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 a licensing entity that issues a license to a health care practitioner in SECTION 2 of this bill.

**ANALYSIS**

S.B. 2256 amends the Occupations Code to require each licensing entity that issues a license to a health care practitioner to establish, by rule and not later than September 1, 2024, a continuing education tracking system for use by and accessible to health care practitioners, licensing entity staff, and continuing education providers. The tracking system may not require any expenditure by the licensing entity. The bill limits the tracking system to collecting and using only the following information:

- information that directly relates to a health care practitioner's compliance with continuing education requirements, including:
  - the name in which the practitioner's license is issued;
  - the practitioner's license number;
  - the license issue date;
  - the license expiration date; and
  - any other information disclosed to the public in response to a license verification request; and
- other information designated by licensing entity rule as necessary for the system's performance of a function required by the bill's provisions.

The bill requires a continuing education tracking system to comply with the federal Americans with Disabilities Act of 1990 and, if it is a cloud-based system, to be certified under the state

risk and authorization management program. The bill authorizes a licensing entity that on the bill's effective date has an agreement in place with a continuing education tracking system provider that is able to implement the bill's requirements to maintain that agreement and any costs associated with implementation of the agreement.

S.B. 2256 prohibits a licensing entity from renewing a health care practitioner's license unless the licensing entity verifies that the practitioner has complied with any continuing education requirements of the licensing entity. The bill establishes that verification of a health care practitioner's compliance with continuing education requirements that is generated by the continuing education tracking system satisfies the bill's requirement to verify compliance for license renewal and that such verification must be used in the conduct of any audit of health care practitioners conducted by the licensing entity. These provisions of the bill expressly do not prohibit a licensing entity from imposing penalties under applicable statutes or rules for a health care practitioner's failure to comply with continuing education requirements.

S.B. 2256 requires an applicable licensing entity to adopt rules necessary to implement the bill's provisions. For purposes of those provisions, the term "license" includes licenses, certificates, registrations, permits, and other forms of authorization needed to engage in a particular business, occupation, or profession. The bill clarifies that its provisions do not apply with respect to crematory services, funeral directing, and embalming.

### **EFFECTIVE DATE**

September 1, 2023.