By:  Price, et al. (Senate Sponsor - Kolkhorst) H.B. No. 1771

(In the Senate - Received from the House April 17, 2023; May 2, 2023, read first time and referred to Committee on Health & Human Services; May 21, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 8, Nays 0; May 21, 2023, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Kolkhorst         X

Perry             X

Blanco            X

Hall              X

Hancock           X

Hughes                      X

LaMantia          X

Miles             X

Sparks            X

COMMITTEE SUBSTITUTE FOR H.B. No. 1771 By:  Hancock

A BILL TO BE ENTITLED

AN ACT

relating to rules regarding the provision by a health professional of a telemedicine medical service, teledentistry dental service, or telehealth service.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 111.004, Occupations Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c)  Each agency with regulatory authority over a health professional providing a telemedicine medical service, teledentistry dental service, or telehealth service shall adopt rules necessary to standardize formats for and retention of records related to a patient's consent to:

(1)  treatment;

(2)  data collection; and

(3)  data sharing.

(d)  Rules adopted under Subsection (c) must:

(1)  as applicable, address the specific consent documentation required for:

(A)  telemedicine medical services;

(B)  teledentistry dental services; or

(C)  telehealth services; and

(2)  include provisions, based on the appropriate standard of care, for consent documentation in an audio-only format.

(e)  Rules adopted under this section must require that a health professional conduct an in-person examination of a patient before an irreversible medical procedure is initiated.

SECTION 2.  This Act takes effect September 1, 2023.

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