88R12726 MLH-D

By:  Allison H.B. No. 4346

A BILL TO BE ENTITLED

AN ACT

relating to joint practice by certain health care professionals.

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

SECTION 1.  Sections 301.012(a-1), (a-2), (a-3), (a-6), and (a-7), Business Organizations Code, are amended to read as follows:

(a-1)  Persons licensed as physicians under Subtitle B, Title 3, Occupations Code, [~~and~~] persons licensed as physician assistants under Chapter 204, Occupations Code, and persons licensed as advanced practice registered nurses under Subtitle E, Title 3, Occupations Code, may form and own a professional association or a professional limited liability company to perform professional services that fall within the scope of practice of those practitioners.

(a-2)  A physician assistant or an advanced practice registered nurse may not be an officer in the professional association or limited liability company.

(a-3)  A physician assistant or an advanced practice registered nurse may not contract with or employ a physician to be a supervising physician of the physician assistant or advanced practice registered nurse or of any physician in the professional association or limited liability company.

(a-6)  A physician assistant, an advanced practice registered nurse, or a combination of physician assistants or advanced practice registered nurses may have only a minority ownership interest in an entity created under this section. The ownership interest of an individual physician assistant may not equal or exceed the ownership interest of any individual physician owner. A physician assistant or combination of physician assistants may not interfere with the practice of medicine by a physician owner or the supervision of physician assistants by a physician owner.

(a-7)  The Texas Medical Board, [~~and~~] the Texas Physician Assistant Board, and the Texas Board of Nursing continue to exercise regulatory authority over their respective license holders according to applicable law. To the extent of a conflict between Subtitle B, Title 3, Occupations Code, and Chapter 204, Occupations Code, or any rules adopted under those statutes, Subtitle B, Title 3, or a rule adopted under that subtitle controls.

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