

1-1 By: Blanco S.B. No. 2256  
1-2 (In the Senate - Filed March 10, 2023; March 22, 2023, read  
1-3 first time and referred to Committee on Health & Human Services;  
1-4 April 24, 2023, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 24, 2023,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>X</u>			
1-10	<u>X</u>			
1-11	<u>X</u>			
1-12	<u>X</u>			
1-13	<u>X</u>			
1-14	<u>X</u>			
1-15	<u>X</u>			
1-16	<u>X</u>			
1-17	<u>X</u>			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2256 By: Perry

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to the verification of health care practitioner continuing  
1-22 education compliance through the establishment of continuing  
1-23 education tracking systems.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 112.002, Occupations Code, is  
1-26 transferred to Subchapter B, Chapter 112, Occupations Code,  
1-27 redesignated as Section 112.0501, Occupations Code, and amended to  
1-28 read as follows:

1-29 Sec. 112.0501 [~~112.002~~]. APPLICABILITY. This subchapter  
1-30 [~~chapter~~] applies only to licensing entities and health care  
1-31 practitioners under Chapters 401, 453, and 454 and Subtitles B, C,  
1-32 D, E, F, and K.

1-33 SECTION 2. Chapter 112, Occupations Code, is amended by  
1-34 adding Subchapter C to read as follows:

1-35 SUBCHAPTER C. CONTINUING EDUCATION REQUIREMENTS

1-36 Sec. 112.101. DEFINITIONS. In this subchapter:

1-37 (1) "Continuing education course" means a course,  
1-38 clinic, forum, lecture, program, or seminar that an individual must  
1-39 complete in order to maintain or renew a license.

1-40 (2) "Continuing education provider" means a person  
1-41 authorized or approved by a licensing entity to offer continuing  
1-42 education courses.

1-43 (3) "Continuing education tracking system" means an  
1-44 electronic system established by a licensing entity as required by  
1-45 Section 112.104.

1-46 (4) "License" means a license, certificate,  
1-47 registration, permit, or other form of authorization that:

1-48 (A) is issued by a licensing entity; and

1-49 (B) an individual must obtain to engage in a  
1-50 particular business, occupation, or profession.

1-51 Sec. 112.102. APPLICABILITY. (a) Except as provided by  
1-52 Subsection (b), this subchapter applies only to a licensing entity  
1-53 that issues a license to a health care practitioner under this  
1-54 title.

1-55 (b) This subchapter does not apply to Subtitle L.

1-56 Sec. 112.103. CONTINUING EDUCATION COMPLIANCE REQUIRED FOR  
1-57 LICENSE RENEWAL. (a) Notwithstanding any other law, a licensing  
1-58 entity may not renew a health care practitioner's license unless  
1-59 the licensing entity verifies that the health care practitioner has  
1-60 complied with any continuing education requirements of the

2-1 licensing entity.  
2-2 (b) Verification of a health care practitioner's compliance  
2-3 with continuing education requirements that is generated by the  
2-4 continuing education tracking system:

2-5 (1) satisfies the requirement of Subsection (a); and  
2-6 (2) must be used in the conduct of any audit of health  
2-7 care practitioners conducted by the licensing entity.

2-8 (c) This section does not prohibit a licensing entity from  
2-9 imposing penalties under applicable statutes or rules for a health  
2-10 care practitioner's failure to comply with continuing education  
2-11 requirements.

2-12 Sec. 112.104. CONTINUING EDUCATION TRACKING SYSTEM. (a)  
2-13 Each licensing entity by rule shall establish a continuing  
2-14 education tracking system for use by and accessible to health care  
2-15 practitioners, licensing entity staff, and continuing education  
2-16 providers.

2-17 (b) A continuing education tracking system established  
2-18 under this subchapter may not require any expenditure by the  
2-19 licensing entity.

2-20 Sec. 112.105. DATA AND SYSTEMS REQUIREMENTS. (a) A  
2-21 continuing education tracking system may collect and use only:

2-22 (1) information that directly relates to a health care  
2-23 practitioner's compliance with continuing education requirements,  
2-24 including:

2-25 (A) the name in which the health care  
2-26 practitioner's license is issued;

2-27 (B) the health care practitioner's license  
2-28 number;

2-29 (C) the license issue date;

2-30 (D) the license expiration date; and

2-31 (E) any other information disclosed to the public  
2-32 in response to a license verification request; and

2-33 (2) other information designated by licensing entity  
2-34 rule as necessary for the system's performance of a function  
2-35 required by this subchapter.

2-36 (b) A continuing education tracking system established  
2-37 under Section 112.104 must:

2-38 (1) if the continuing education tracking system is a  
2-39 cloud-based system, be certified under the state risk and  
2-40 authorization management program established under Section  
2-41 2054.0593, Government Code; and

2-42 (2) comply with the Americans with Disabilities Act of  
2-43 1990 (42 U.S.C. Section 12101 et seq.).

2-44 Sec. 112.106. RULEMAKING. A licensing entity shall adopt  
2-45 rules necessary to implement this subchapter.

2-46 SECTION 3. Not later than September 1, 2024, each licensing  
2-47 entity shall establish a continuing education tracking system as  
2-48 required by Section 112.104, Occupations Code, as added by this  
2-49 Act.

2-50 SECTION 4. Notwithstanding Section 112.104(b), Occupations  
2-51 Code, as added by this Act, a licensing entity subject to that  
2-52 section that on the effective date of this Act has an agreement in  
2-53 place with a continuing education tracking system provider that is  
2-54 able to implement the requirements of Subchapter C, Chapter 112,  
2-55 Occupations Code, as added by this Act, may maintain that agreement  
2-56 and any costs associated with implementation of the agreement.

2-57 SECTION 5. This Act takes effect September 1, 2023.

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