

SENATE AMENDMENTS

2nd Printing

By: Price, Thompson of Harris, Guillen,
Oliverson, Jetton

H.B. No. 1771

A BILL TO BE ENTITLED

AN ACT

relating to certain records of a health professional providing 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) and (d) 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.

H.B. No. 1771

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

By: L. W. Kyle T

ADOPTED

MAY 24 2023 .B. No. 1771

Substitute the following for .B. No. _____

By: Cathy Harmon

Latey
Secretary of the Senate
C.S. H.B. No. 1771

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.

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

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

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 25, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1771 by Price (Relating to rules regarding the provision by a health professional of a telemedicine medical service, teledentistry dental service, or telehealth service.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Texas Medical Board, Texas Board of Nursing, and Texas State Board of Dental Examiners, duties and responsibilities associated with implementing the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 504 Texas State Board of Dental Examiners, 507 Texas Board of Nursing

LBB Staff: JMc, SD, NPe, BFa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 21, 2023

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1771 by Price (Relating to rules regarding the provision by a health professional of a telemedicine medical service, teledentistry dental service, or telehealth service.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Texas Medical Board, Texas Board of Nursing, and Texas State Board of Dental Examiners, duties and responsibilities associated with implementing the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 504 Texas State Board of Dental Examiners, 507 Texas Board of Nursing

LBB Staff: JMc, NPe, BFa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 16, 2023

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1771 by Price (Relating to certain records of a health professional providing a telemedicine medical service, teledentistry dental service, or telehealth service.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Texas Medical Board, Texas Board of Nursing, and Texas State Board of Dental Examiners, duties and responsibilities associated with implementing the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 504 Texas State Board of Dental Examiners, 507 Texas Board of Nursing

LBB Staff: JMc, NPe, BFa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 4, 2023

TO: Honorable Stephanie Klick, Chair, House Committee on Public Health

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1771 by Price (relating to certain records of a health professional providing a telemedicine medical service, teledentistry dental service, or telehealth service.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Texas Medical Board, Texas Board of Nursing, and Texas State Board of Dental Examiners, duties and responsibilities associated with implementing the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 504 Texas State Board of Dental Examiners, 507 Texas Board of Nursing

LBB Staff: JMc, NPe, BFa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 23, 2023

TO: Honorable Stephanie Klick, Chair, House Committee on Public Health

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1771 by Price (Relating to certain records of a health professional providing a telemedicine medical service, teledentistry dental service, or telehealth service.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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Based on the analysis of the Texas Medical Board, Texas Board of Nursing, and Texas State Board of Dental Examiners, duties and responsibilities associated with implementing the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 504 Texas State Board of Dental Examiners, 507 Texas Board of Nursing

LBB Staff: JMc, NPe, BFa