

BILL ANALYSIS

Senate Research Center
89R12039 AND-F

H.B. 1700
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the COVID-19 pandemic, a lack of clarity arose as to how health professionals should implement the state and federal requirements for collecting consent to share, consent to treat, records retention, and other documentation when performing a virtual service, especially when the services were provided via audio-only platforms. According to a study by the House Committee on Public Health following the 87th Regular Session, medical record documentation and retention requirements for telemedicine and in-person services needed to be further addressed. H.B. 1700 seeks to address this issue by requiring each agency with regulatory authority over a health professional providing certain telehealth services to adopt rules necessary to standardize formats for, and retention of records relating to, a patient's consent to treatment, data collection, and data sharing.

H.B. 1700 amends current law relating to certain records of a health professional providing a telemedicine medical service, teledentistry dental service, or telehealth service.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to each agency with regulatory authority over a telemedicine medical service, teledentistry dental service, or telehealth service in SECTION 1 (Section 111.004, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 111.004, Occupations Code, by adding Subsections (c) and (d), as follows:

(c) Requires each agency with regulatory authority over a health professional providing a telemedicine medical service, teledentistry dental service, or telehealth service to adopt rules necessary to standardize formats for and retention of records related to a patient's consent to treatment, data collection, and data sharing.

(d) Requires that rules adopted under Subsection (c), as applicable, address the specific consent documentation required for telemedicine medical services, teledentistry dental services, or telehealth services, and include provisions, based on the appropriate standard of care, for consent documentation in an audio-only format.

SECTION 2. Effective date: September 1, 2025.