

BILL ANALYSIS

C.S.S.B. 912
By: Blanco
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that many state agencies have not been afforded the opportunity to modernize their continuing education tracking systems and that as a result, currently employ legacy systems, which are often outdated and opaque. The bill sponsor has also informed the committee that this leads to confusion among licensees regarding continuing education requirements and compliance and that unwieldy and inefficient legacy systems cause licensing agencies and staff to incur losses of time and productivity. The bill sponsor has further informed the committee that as the state's population grows due to the number of people moving to Texas each year, some of whom are licensed health care professionals, these strained legacy systems will soon be pushed to the breaking point. C.S.S.B. 912 seeks to address this issue by directing state health care licensing agencies to establish a modern continuing education tracking system.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to a licensing entity that issues a license to a health care practitioner in SECTION 2 of this bill.

ANALYSIS

C.S.S.B. 912 amends the Occupations Code to require each licensing entity that issues a license to a health care practitioner to establish, by rule and not later than September 1, 2026, a continuing education tracking system for use by and accessible to health care practitioners, licensing entity staff, and applicable continuing education providers. The tracking system may not require any licensing entity expenditure. The bill limits the tracking system to collecting and using only the following information:

- information that directly relates to a health care practitioner's compliance with continuing education requirements, including:
 - the name in which the practitioner's license is issued;
 - the practitioner's license number;
 - the license issue date;
 - the license expiration date; and
 - any other information disclosed to the public in response to a license verification request; and
- other information the licensing entity designates by rule as necessary for the system's performance of a function required by the bill's provisions.

The bill requires the Department of Licensing and Regulation (TDLR), not later than September 1, 2028, to establish a continuing education tracking system. For purposes of the

bill's provisions, "license" means any form of authorization a licensing entity issues, including a license, certificate, registration, or permit, that an individual must obtain to engage in a particular business, occupation, or profession.

C.S.S.B. 912 requires such a continuing education tracking system to comply with the federal Americans with Disabilities Act of 1990 and, if it is a cloud-based system, to be certified under the state risk and authorization management program. The bill authorizes a licensing entity that on the bill's effective date has an agreement in place with a continuing education tracking system provider that is able to implement the bill's requirements to maintain that agreement and any costs associated with implementation of the agreement.

C.S.S.B. 912 requires a licensing entity, before renewing a health care practitioner's license, to verify that the practitioner has complied with any continuing education requirements of the licensing entity. The bill establishes that verification of a health care practitioner's compliance with continuing education requirements that the continuing education tracking system generates satisfies the bill's requirement to verify compliance for license renewal and that such verification must be used in the conduct of any audit of health care practitioners the licensing entity conducts. These provisions of the bill expressly do not prohibit a licensing entity from imposing penalties under applicable statutes or rules for a health care practitioner's failure to comply with continuing education requirements. The bill requires TDLR to comply with these provisions not later than September 1, 2028.

C.S.S.B. 912 requires an applicable licensing entity to adopt rules necessary to implement the bill's provisions. The bill clarifies that its provisions do not apply with respect to crematory services, funeral directing, and embalming.

C.S.S.B. 912 defines the following terms for purposes of its provisions:

- "continuing education course" as a course, clinic, forum, lecture, program, or seminar that an individual must complete in order to maintain or renew a license; and
- "continuing education provider" as a person that a licensing entity authorizes or approves to offer continuing education courses.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 912 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute includes a requirement absent from the engrossed for TDLR, not later than September 1, 2028, to establish a continuing education tracking system as required under the bill's provisions and to comply with the bill's verification requirements.