

## **BILL ANALYSIS**

S.B. 2480  
By: Campbell  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The 88th Texas Legislature passed legislation that reorganized the funding mechanism for the Texas Physician Health Program from a participation fee to a surcharge on license renewals. The program provides confidential early intervention, assessment, treatment referral, and post-treatment monitoring for health professionals under the jurisdiction of the Texas Medical Board (TMB) who may be unable to practice safely due to an impairing or potentially impairing health condition. The program's participants include physicians, physician assistants, surgical assistants, perfusionists, medical students, and other license holders governed by the TMB. The bill sponsor has informed the committee that the intent of the enacted legislation was for this surcharge to apply to all licensees, but the Legislative Budget Board has informed the TMB that the statutory language only allows the collection of license renewal surcharges from physicians and physician assistants. S.B. 2480 seeks to rectify this issue by explicitly permitting the TMB to collect license renewal surcharge fees for the program and for a continuous query on the National Practitioner Data Bank from all individuals licensed by the TMB.

### **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 the Texas Medical Board in SECTION 8 of this bill.

### **ANALYSIS**

S.B. 2480 amends the Occupations Code to require the Texas Medical Board (TMB) to run a continuous query on the National Practitioner Data Bank with respect to each individual who holds a license, certificate, registration, permit, or other authorization issued by the TMB under applicable state law allowing an individual to engage in an occupation regulated by the TMB and for whom the data bank contains relevant information. The bill accordingly removes an existing requirement for the TMB to run a continuous query on the data bank with respect to a physician.

S.B. 2480 revises the requirement for the TMB to collect an additional surcharge to cover the cost of administering a continuous query on the National Practitioner Data Bank from each license holder for issuance of a first registration permit and for renewal of a registration permit, as follows:

- replaces the specification that the surcharge is collected from a license holder with a specification that the surcharge is collected from an individual who holds a license;

- defines "license" for this purpose as a license, certificate, registration, permit, or other authorization issued by the TMB under applicable state law allowing an individual to engage in an occupation regulated by the TMB;
- clarifies that the registration permits are issued and renewed under the Medical Practice Act; and
- additionally requires collection for issuance or renewal of a license.

S.B. 2480 establishes that the Texas Physician Health Program is a confidential, nondisciplinary therapeutic program for any individual who holds a license, certificate, registration, permit, or other authorization issued by the TMB allowing the individual to engage in an occupation regulated by the TMB and requires the program to accept a self-referral from such an individual. The bill authorizes the TMB or an appropriate advisory board or committee to make a referral to the program and require participation in the program as a prerequisite for issuing or maintaining a license, certificate, registration, permit, or other authorization issued by the TMB allowing the individual to engage in an occupation regulated by the TMB. The bill changes the definition of "program participant" from a physician or physician assistant who receives services under the program to an individual who receives services under the program.

S.B. 2480 changes the fees for which the TMB must collect an additional surcharge capped at \$15 for the Texas Physician Health Program from fees for the first registration permit and for renewal of a registration permit to fees for the first license, certificate, registration, permit, or other form of authorization allowing an individual to engage in an occupation regulated by the TMB and for renewal of such a form of authorization. The bill removes a specification that the surcharge is due at the time of license issuance and registration permit renewal.

S.B. 2480 requires the TMB, not later than December 1, 2025, to adopt rules to implement the bill's provisions. The bill's changes to the Texas Physician Health Program surcharge and the continuous query surcharge apply only to an application for the issuance or renewal of a license, certificate, registration, permit, or other authorization submitted on or after December 1, 2025. An application submitted before December 1, 2025, is governed by the law in effect immediately before the bill's effective date, and that former law is continued in effect for that purpose.

#### **EFFECTIVE DATE**

September 1, 2025.