

By: Guillen

H.B. No. 1838

A BILL TO BE ENTITLED

AN ACT

relating to the verification of health care practitioner continuing education compliance through the establishment of continuing education tracking systems.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

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

SUBCHAPTER C. CONTINUING EDUCATION REQUIREMENTS

Sec. 112.101. DEFINITIONS. In this subchapter:

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

(2) "Continuing education provider" means a person that a licensing entity authorizes or approves to offer continuing education courses.

(3) "Continuing education tracking system" means an

1 electronic system a licensing entity establishes as required by
2 Section 112.104.

3 (4) "License" means a form of authorization a
4 licensing entity issues, including a license, certificate,
5 registration, or permit, that an individual must obtain to engage
6 in a particular business, occupation, or profession.

7 Sec. 112.102. APPLICABILITY. (a) Except as provided by
8 Subsection (b), this subchapter applies only to a licensing entity
9 that issues a license to a health care practitioner under this
10 title.

11 (b) This subchapter does not apply to Subtitle L.

12 Sec. 112.103. CONTINUING EDUCATION COMPLIANCE REQUIRED FOR
13 LICENSE RENEWAL. (a) Notwithstanding any other law, a licensing
14 entity may not renew a health care practitioner's license unless
15 the licensing entity verifies that the health care practitioner has
16 complied with any continuing education requirements of the
17 licensing entity.

18 (b) Verification of a health care practitioner's compliance
19 with continuing education requirements that the continuing
20 education tracking system generates:

21 (1) satisfies the requirement of Subsection (a); and
22 (2) must be used in the conduct of any audit of health
23 care practitioners the licensing entity conducts.

24 (c) This section does not prohibit a licensing entity from
25 imposing penalties under applicable statutes or rules for a health
26 care practitioner's failure to comply with continuing education
27 requirements.

Sec. 112.104. CONTINUING EDUCATION TRACKING SYSTEM. (a)

Each licensing entity by rule shall establish a continuing education tracking system for use by and accessible to health care practitioners, licensing entity staff, and continuing education providers.

(b) A continuing education tracking system established under this subchapter may not require any licensing entity expenditure.

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

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

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

(B) the health care practitioner's license number;

(C) the license issue date;

(D) the license expiration date; and

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

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

(b) A continuing education tracking system established under Section 112.104 must:

(1) if the continuing education tracking system is a

1 cloud-based system, be certified under the state risk and
2 authorization management program established under Section
3 2054.0593, Government Code; and

4 (2) comply with the Americans with Disabilities Act of
5 1990 (42 U.S.C. Section 12101 et seq.).

6 Sec. 112.106. RULEMAKING. A licensing entity shall adopt
7 rules necessary to implement this subchapter.

8 SECTION 3. Not later than September 1, 2026, each licensing
9 entity shall establish a continuing education tracking system as
10 required by Section 112.104, Occupations Code, as added by this
11 Act.

12 SECTION 4. Notwithstanding Section 112.104(b), Occupations
13 Code, as added by this Act, a licensing entity subject to that
14 section that on the effective date of this Act has an agreement in
15 place with a continuing education tracking system provider that is
16 able to implement the requirements of Subchapter C, Chapter 112,
17 Occupations Code, as added by this Act, may maintain that agreement
18 and any costs associated with implementation of the agreement.

19 SECTION 5. This Act takes effect September 1, 2025.