

1 AN ACT

2 relating to the regulation of the provision of elective intravenous
3 therapy.

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

5 SECTION 1. This Act shall be known as Jenifer's Law.

6 SECTION 2. Subtitle B, Title 3, Occupations Code, is
7 amended by adding Chapter 172 to read as follows:

8 CHAPTER 172. PROVISION OF ELECTIVE INTRAVENOUS THERAPY

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 172.001. DEFINITIONS. In this chapter:

11 (1) "Advanced practice registered nurse" has the
12 meaning assigned by Section [301.152](#).

13 (2) "Elective intravenous therapy" means a procedure:

14 (A) to administer fluids, nutrients,
15 medications, or blood directly into a patient's bloodstream through
16 a vein;

17 (B) that is sought by the patient to alleviate
18 symptoms of temporary discomfort or improve temporary wellness; and

19 (C) that is not administered in:

20 (i) a physician's office;

21 (ii) a health facility licensed under
22 Subtitle B, Title 4, Health and Safety Code;

23 (iii) a mental hospital licensed under
24 Chapter [577](#), Health and Safety Code; or

1 (iv) a hospital maintained or operated by
2 this state.

3 (3) "Physician assistant" means a person who holds a
4 license issued under Chapter 204.

5 (4) "Registered nurse" means a person licensed by the
6 Texas Board of Nursing to practice professional nursing.

7 SUBCHAPTER B. ELECTIVE INTRAVENOUS THERAPY

8 Sec. 172.051. DELEGATION OF PRESCRIBING OR ORDERING
9 ELECTIVE INTRAVENOUS THERAPY. (a) A physician may delegate the act
10 of prescribing or ordering elective intravenous therapy to:

11 (1) a physician assistant acting under adequate
12 physician supervision; or

13 (2) an advanced practice registered nurse acting under
14 adequate physician supervision.

15 (b) A physician may delegate the act of administering
16 elective intravenous therapy to:

17 (1) a physician assistant acting under adequate
18 physician supervision;

19 (2) an advanced practice registered nurse acting under
20 adequate physician supervision; or

21 (3) a registered nurse acting under adequate physician
22 supervision.

23 (c) A physician's authority to delegate the act of
24 prescribing or ordering elective intravenous therapy is subject to
25 Subchapter B, Chapter 157.

26 (d) A prescriptive authority agreement relating to elective
27 intravenous therapy is included in the maximum number of

1 prescriptive authority agreements authorized under Section
2 157.0512(c). The exception provided in Section 157.0512(d) does
3 not apply to a prescriptive authority agreement relating to
4 elective intravenous therapy.

5 SECTION 3. The changes in law made by this Act apply to the
6 performance of a medical act on or after the effective date of this
7 Act under a physician's delegation, regardless of:

8 (1) the manner in which the delegation is made; and

9 (2) whether the delegation is made before, on, or
10 after the effective date of this Act.

11 SECTION 4. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I certify that H.B. No. 3749 was passed by the House on May 16, 2025, by the following vote: Yeas 117, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3749 was passed by the Senate on May 27, 2025, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor