

By: Hall

S.B. No. 2207

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the Texas Medical Board from regulating certain physician advertising.

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

SECTION 1. Section 153.002, Occupations Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) Notwithstanding Subsection (a), the board may not adopt rules that regulate the advertising of physicians as "board certified" if the physician:

(1) was initially certified by:

(A) a medical specialty member board of the American Board of Medical Specialties;

(B) a medical specialty member board of the American Osteopathic Association Bureau of Osteopathic Specialists;

(C) the American Board of Oral and Maxillofacial Surgery; or

(D) any other certifying organization if the organization submits to the board documentation that the certifying organization:

(i) has certification requirements that are substantially equivalent to the requirements of the medical specialty member boards under Paragraph (A) or (B);

(ii) requires members to complete an

examination that has been psychometrically evaluated for validation and administered by a testing organization that tests knowledge and skills in the applicable specialty or subspecialty;

(iii) requires members to have successfully completed postgraduate training accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association in the applicable specialty or subspecialty;

(iv) uses appropriate peer-review processes;

(v) has a total membership of at least 100 licensed members, fellows, diplomates, or certificate holders from at least one-third of the states in the United States;

(vi) is exempt from the payment of federal income taxes under Section 501(a), Internal Revenue Code of 1986, by being listed as an exempt entity under Section 501(c) of that code; and

(vii) has a permanent headquarters and staff; and

(2) in the advertising identifies the certifying organization by which the physician is certified.

(d) The board may not charge a fee or require submission of an application by a certifying organization described by Subsection (c)(1)(D).

SECTION 2. This Act takes effect September 1, 2025.