

By: Campbell
(Oliverson)

S.B. No. 2480

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Physician Health Program and the regulation of certain occupations by the Texas Medical Board; expanding the applicability of surcharges.

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

SECTION 1. Subchapter A, Chapter 153, Occupations Code, is amended by adding Section 153.017 to read as follows:

Sec. 153.017. CONTINUOUS QUERIES OF NATIONAL PRACTITIONER DATA BANK FOR ALL OCCUPATIONS REGULATED BY BOARD. (a) In this section, "license" means a license, certificate, registration, permit, or other authorization issued by the board under this title allowing an individual to engage in an occupation regulated by the board.

(b) The board shall run a continuous query on the National Practitioner Data Bank with respect to each individual who holds a license and for whom the National Practitioner Data Bank contains relevant information.

SECTION 2. Section 153.051(d), Occupations Code, is amended to read as follows:

(d) The board may not set, charge, collect, receive, or deposit any of the following fees in excess of:

- (1) \$900 for a license;
- (2) \$400 for a first registration permit;
- (3) \$200 for a temporary license;

- 1 (4) \$400 for renewal of a registration permit;
2 (5) \$200 for a physician-in-training permit;
3 (6) \$600 for the processing of an application and the
4 issuance of a registration for anesthesia in an outpatient setting;
5 (7) \$200 for an endorsement to other state medical
6 boards;
7 (8) \$200 for a duplicate license;
8 (9) \$700 for a reinstated license after cancellation
9 for cause; or
10 (10) \$15 for a surcharge under Section 167.014
11 [153.053] to administer the Texas Physician Health Program~~[, due at~~
12 ~~the time of license issuance and registration permit renewal]~~.

13 SECTION 3. Section 153.055, Occupations Code, is amended by
14 amending Subsection (a) and adding Subsection (a-1) to read as
15 follows:

16 (a) In this section, "license" has the meaning assigned by
17 Section 153.017.

18 (a-1) The board shall set and collect an additional
19 surcharge to cover the cost of administering a continuous query on
20 the National Practitioner Data Bank as required by Section 153.017
21 [154.006(m)]. The surcharge shall be collected from each
22 individual who holds a license ~~[holder]~~ for:

23 (1) issuance of a first registration permit under this
24 subtitle; [and]

25 (2) renewal of a registration permit under this
26 subtitle; and

27 (3) issuance or renewal of a license.

SECTION 4. Section 154.006(m), Occupations Code, is amended to read as follows:

(m) Not ~~[The board shall run a continuous query on the National Practitioner Data Bank and, not]~~ later than the 10th working day after the date the board finds any new information resulting from a query on the National Practitioner Data Bank under Section 153.017 with respect to a physician ~~[is found]~~, the board shall update a physician's profile to:

(1) include any new report or correction to a report of disciplinary action against the physician; and

(2) remove any report of disciplinary action against the physician that has been dismissed or otherwise voided.

SECTION 5. Section 167.001(6), Occupations Code, is amended to read as follows:

(6) "Program participant" means an individual ~~[a physician or physician assistant]~~ who receives services under the program.

SECTION 6. Chapter 167, Occupations Code, is amended by adding Section 167.0015 to read as follows:

Sec. 167.0015. APPLICABILITY; MANNER OF PARTICIPATION. (a) Notwithstanding any other provision of this chapter:

(1) the program is a confidential, nondisciplinary therapeutic program for any individual who holds a license, certificate, registration, permit, or other authorization issued by the board allowing the individual to engage in an occupation regulated by the board; and

(2) the program shall accept a self-referral from an

individual described by Subdivision (1).

(b) Notwithstanding any other provision of this chapter, other than Sections 167.009 and 167.0091, the board or an appropriate advisory board or committee may 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 board allowing the individual to engage in an occupation regulated by the board.

SECTION 7. Section 153.053, Occupations Code, is redesignated as Section 167.014, Occupations Code, and amended to read as follows:

Sec. 167.014 [~~153.053~~]. SURCHARGE TO ADMINISTER TEXAS PHYSICIAN HEALTH PROGRAM. (a) The board shall collect an additional surcharge not to exceed \$15 for each of the following fees:

(1) first license, certificate, registration, permit, or other form of authorization allowing an individual to engage in an occupation regulated by the board; and

(2) renewal of a form of authorization described by Subdivision (1) [~~registration permit~~].

(b) The board shall deposit each surcharge collected under this section to the credit of the Texas physician health program account. The Texas physician health program account is a special account in the general revenue fund. Money in the special account shall be appropriated only to the board to pay for administration of the Texas Physician Health Program under this chapter [~~Chapter 167~~], including paying for an initial evaluation by the program's

1 medical director or the director's designee. Money in the special
2 account may not be used to pay for program participant costs
3 incurred for monitoring or for a program participant's own medical
4 costs, including any further required evaluations, primary
5 treatment, or continuing care.

6 SECTION 8. (a) Not later than December 1, 2025, the Texas
7 Medical Board shall adopt rules to implement the changes in law made
8 by this Act.

9 (b) Section 153.055, Occupations Code, as amended by this
10 Act, and Section 167.014, Occupations Code, as redesignated and
11 amended by this Act, apply only to an application for the issuance
12 or renewal of a license, certificate, registration, permit, or
13 other authorization submitted on or after December 1, 2025. An
14 application submitted before December 1, 2025, is governed by the
15 law in effect immediately before the effective date of this Act, and
16 that former law is continued in effect for that purpose.

17 SECTION 9. This Act takes effect September 1, 2025.