

Chapter 567

S.B. No. 674

AN ACT

relating to licensing for certain health professions, including an expedited process for certain physicians specializing in psychiatry; authorizing a fee.

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

SECTION 1. Subchapter A, Chapter 155, Occupations Code, is amended by adding Section 155.010 to read as follows:

Sec. 155.010. EXPEDITED LICENSING PROCESS FOR PHYSICIANS SPECIALIZING IN PSYCHIATRY. (a) The board by rule shall create an expedited licensing process for an applicant who:

(1) holds an unrestricted license to practice medicine issued by another state;

(2) is board certified in psychiatry by the American Board of Psychiatry and Neurology or the American Osteopathic Board of Neurology and Psychiatry; and

(3) is not ineligible under Section 155.003(e).

(b) The expedited licensing process must include a procedure for the board to screen applications under this subtitle to determine whether an applicant would be eligible for the expedited licensing process under this section.

(c) The requirements for renewal of a registration permit for a license holder issued a license under this section may not be more stringent than the requirements for a license holder issued a license on a non-expedited basis.

1        (d) The board may establish a fee for the expedited process.

2        (e) This section expires January 1, 2022.

3            SECTION 2. Section 155.056, Occupations Code, is amended by  
4 amending Subsection (a) and adding Subsection (a-1) to read as  
5 follows:

6            (a) Except as provided by Subsection (a-1), an [An]  
7 applicant must pass each part of an examination within three  
8 attempts.

9            (a-1) The limit on the number of examination attempts under  
10 Subsection (a) does not apply to the Texas medical jurisprudence  
11 examination.

12            SECTION 3. Subchapter A, Chapter 156, Occupations Code, is  
13 amended by adding Section 156.010 to read as follows:

14            Sec. 156.010. REFUSAL FOR VIOLATION OF BOARD ORDER. The  
15 board may refuse to renew a registration permit issued under this  
16 chapter if the license holder is in violation of a board order.

17            SECTION 4. The heading to Section 205.251, Occupations  
18 Code, is amended to read as follows:

19            Sec. 205.251. [~~ANNUAL~~] RENEWAL REQUIRED.

20            SECTION 5. Section 205.251(a), Occupations Code, is amended  
21 to read as follows:

22            (a) The medical board by rule shall provide for the annual  
23 or biennial renewal of a license to practice acupuncture.

24            SECTION 6. Subchapter F, Chapter 205, Occupations Code, is  
25 amended by adding Section 205.256 to read as follows:

26            Sec. 205.256. REFUSAL FOR VIOLATION OF BOARD ORDER. The  
27 acupuncture board may refuse to renew a license issued under this

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1 chapter if the license holder is in violation of an acupuncture  
2 board order.

3 SECTION 7. Subchapter E, Chapter 206, Occupations Code, is  
4 amended by adding Section 206.215 to read as follows:

5 Sec. 206.215. REFUSAL FOR VIOLATION OF BOARD ORDER. The  
6 medical board may refuse to renew a license issued under this  
7 chapter if the license holder is in violation of a medical board  
8 order.

9 SECTION 8. Subchapter C, Chapter 601, Occupations Code, is  
10 amended by adding Section 601.113 to read as follows:

11 Sec. 601.113. REFUSAL FOR VIOLATION OF BOARD ORDER. The  
12 advisory board may refuse to renew a certificate issued under this  
13 chapter if the certificate holder is in violation of an advisory  
14 board order.

15 SECTION 9. Section 601.155, Occupations Code, is amended to  
16 read as follows:

17 Sec. 601.155. STUDENTS. A person is not required to hold a  
18 certificate issued under this chapter [~~or to comply with the~~  
19 ~~registration requirements adopted under Section 601.252]~~ if the  
20 person:

21 (1) is a student enrolled in a training program that  
22 meets the minimum standards adopted under Section 601.201; and

23 (2) is performing a radiologic procedure in an  
24 academic or clinical setting as part of the training program.

25 SECTION 10. Section 601.156, Occupations Code, is amended  
26 to read as follows:

27 Sec. 601.156. PROCEDURE PERFORMED AS PART OF CONTINUING

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1 EDUCATION PROGRAM. A person is not required to hold a certificate  
2 issued under this chapter [~~or to comply with the registration~~  
3 ~~requirements adopted under Section 601.252]~~ if the person is:

4 (1) licensed or otherwise registered as a medical  
5 radiologic technologist by another state, the American Registry of  
6 Radiologic Technologists, the American Registry of Clinical  
7 Radiography Technologists, or a professional organization or  
8 association recognized by the advisory board;

9 (2) enrolled in a continuing education program that  
10 meets the requirements adopted under Section 601.108; and

11 (3) performing a radiologic procedure as part of the  
12 continuing education program for not more than 10 days.

13 SECTION 11. Section 601.203(b), Occupations Code, is  
14 amended to read as follows:

15 (b) The following conditions are considered to be a hardship  
16 for the purposes of Subsection (a):

17 (1) that the applicant:

18 (A) reports an inability to attract and retain  
19 medical radiologic technologists; and

20 (B) is located in a county with a population of  
21 less than 50,000;

22 (2) that the applicant is located at a great distance  
23 from a school of medical radiologic technology;

24 (3) that there is a list of qualified persons who have  
25 applied to a school of medical radiologic technology whose  
26 admissions are pending because of a lack of faculty or space;

27 (4) that the school of medical radiologic technology

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1 produces an insufficient number of graduates in medical radiologic  
2 technology to meet the needs of the applicant; or

3 (5) any other criteria determined by advisory board  
4 rule.

5 SECTION 12. Sections 601.252(c) and (d), Occupations Code,  
6 are amended to read as follows:

7 (c) Rules adopted under this section by the State Board of  
8 Dental Examiners must:

9 (1) require an authorized person who performs  
10 radiologic procedures under the delegation of a dentist, other than  
11 a registered nurse, to register with the dental board [~~agency that~~  
12 ~~licenses the practitioner under whom the person performs radiologic~~  
13 ~~procedures~~];

14 (2) establish reasonable and necessary fees to cover  
15 the administrative costs incurred by the dental board [~~agency~~] in  
16 administering a registration program created under this  
17 subsection;

18 (3) establish grounds for the suspension, revocation,  
19 or nonrenewal of a registration issued under this subsection; and

20 (4) establish standards, in addition to those required  
21 by this chapter, for training and supervising the operators of the  
22 equipment.

23 (d) In adopting rules under Subsection (c), the State Board  
24 of Dental Examiners [~~an agency~~] may take into account whether the  
25 radiologic procedure will be performed by a registered nurse.

26 SECTION 13. Subchapter E, Chapter 602, Occupations Code, is  
27 amended by adding Section 602.214 to read as follows:

1        Sec. 602.214. REFUSAL FOR VIOLATION OF BOARD ORDER. The  
2 medical board may refuse to renew a license issued under this  
3 chapter if the license holder is in violation of a medical board  
4 order.

5        SECTION 14. Section 603.252(a), Occupations Code, is  
6 amended to read as follows:

7        (a) An applicant for a perfusionist license must submit an  
8 [a-sworn] application accompanied by the application fee.

9        SECTION 15. Subchapter G, Chapter 603, Occupations Code, is  
10 amended by adding Section 603.306 to read as follows:

11        Sec. 603.306. REFUSAL FOR VIOLATION OF BOARD ORDER. The  
12 medical board may refuse to renew a license issued under this  
13 chapter if the license holder is in violation of a medical board  
14 order.

15        SECTION 16. Subchapter D, Chapter 604, Occupations Code, is  
16 amended by adding Section 604.158 to read as follows:

17        Sec. 604.158. REFUSAL FOR VIOLATION OF BOARD ORDER. The  
18 advisory board may refuse to renew a certificate or temporary  
19 permit issued under this chapter if the certificate or permit  
20 holder is in violation of an advisory board order.

21        SECTION 17. The Texas Medical Board shall create and  
22 implement the expedited licensing process under Section 155.010,  
23 Occupations Code, as added by this Act, not later than January 1,  
24 2018.

25        SECTION 18. This Act takes effect September 1, 2017.

Don Petuch  
President of the Senate

Joe Straus  
Speaker of the House

I hereby certify that S.B. No. 674 passed the Senate on March 20, 2017, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 26, 2017, by the following vote: Yeas 31, Nays 0.

Satsy Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 674 passed the House, with amendment, on May 23, 2017, by the following vote: Yeas 145, Nays 0, two present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

6-7-2017  
Date

Bruce Orsholt  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7:06 PM O'CLOCK

JUN 09 2017  
[Signature]  
Secretary of State

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 23, 2017**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB674** by Schwertner (Relating to an expedited licensing process for certain physicians specializing in psychiatry; authorizing a fee.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Occupations Code relating to an expedited licensing process for certain physicians specializing in psychiatry. The bill would authorize the Texas Medical Board to set a fee for the expedited licensing process. The bill would permit the board to extend the validity of a physician assistant license and an acupuncturist license issued by the agency from one year to two years through board rule. The bill would permit the TMB to refuse certain registration permits or license renewals if the license holder is in violation of board order.

The bill would continue to have the State Board of Dental Examiners (SBDE) require an authorized person who performs certain radiologic procedures to register with the agency. Under the provisions of the bill, SBDE would continue to establish fees to cover the administrative costs associated with the registration program, establish grounds for suspension of registration, and establish training and supervision standards.

This analysis assumes that the adoption of a biennial license renewal schedule would affect the timing of revenue collection, but would have minimal effect on the amount of revenue collected for the biennium.

The SBDE and TMB anticipate any costs related to implementing the provisions of this bill could be absorbed within current appropriations.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 503 Texas Medical Board

**LBB Staff:** UP, KCA, EH, EK



**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 13, 2017**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB674** by Schwertner ( Relating to an expedited licensing process for certain physicians specializing in psychiatry; authorizing a fee.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code relating to an expedited licensing process for certain physicians specializing in psychiatry. The bill would authorize the Texas Medical Board to set a fee for the expedited licensing process.

Based on the analysis of the agency, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 503 Texas Medical Board

**LBB Staff:** UP, KCA, EH, EK

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**February 28, 2017**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB674** by Schwertner (Relating to an expedited licensing process for certain physicians specializing in psychiatry; authorizing a fee.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code relating to an expedited licensing process for certain physicians specializing in psychiatry. The bill would authorize the Texas Medical Board to set a fee for the expedited licensing process.

Based on the analysis of the agency, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 503 Texas Medical Board

**LBB Staff:** UP, KCA, EH, EK