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

(e) This section expires January 1, 2022.

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

(a) **Except as provided by Subsection (a-1), an applicant** must pass each part of an examination within three attempts.

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

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

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

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

Sec. 205.251. [ANNUAL] RENEWAL REQUIRED.

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

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

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

Sec. 205.256. REFUSAL FOR VIOLATION OF BOARD ORDER. The acupuncture board may refuse to renew a license issued under this
chapter if the license holder is in violation of an acupuncture board order.

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

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

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

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

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

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

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

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

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

Sec. 601.156. PROCEDURE PERFORMED AS PART OF CONTINUING
EDUCATION PROGRAM. A person is not required to hold a certificate issued under this chapter [or to comply with the registration requirements adopted under Section 601.252] if the person is:

1. licensed or otherwise registered as a medical radiologic technologist by another state, the American Registry of Radiologic Technologists, the American Registry of Clinical Radiography Technologists, or a professional organization or association recognized by the advisory board;
2. enrolled in a continuing education program that meets the requirements adopted under Section 601.108; and
3. performing a radiologic procedure as part of the continuing education program for not more than 10 days.

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

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

1. that the applicant:
   (A) reports an inability to attract and retain medical radiologic technologists; and
   (B) is located in a county with a population of less than 50,000;
2. that the applicant is located at a great distance from a school of medical radiologic technology;
3. that there is a list of qualified persons who have applied to a school of medical radiologic technology whose admissions are pending because of a lack of faculty or space;
4. that the school of medical radiologic technology
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produces an insufficient number of graduates in medical radiologic technology to meet the needs of the applicant; or

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

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

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

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

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

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

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

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

SECTION 13. Subchapter E, Chapter 602, Occupations Code, is amended by adding Section 602.214 to read as follows:
Sec. 602.214. REFUSAL FOR VIOLATION OF BOARD ORDER. The medical board may refuse to renew a license issued under this chapter if the license holder is in violation of a medical board order.

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

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

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

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

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

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

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

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

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.

Approved:

6-7-2017

Date
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

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. 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
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
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