

AN ACT

relating to the authority of a community health center to contract with or employ an optometrist or therapeutic optometrist.

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

SECTION 1. Subchapter H, Chapter 351, Occupations Code, is amended by adding Section 351.367 to read as follows:

Sec. 351.367. CONTRACT OR EMPLOYMENT WITH COMMUNITY HEALTH CENTERS. (a) In this section, "community health center" means a health organization that:

(1) is a nonprofit corporation under the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes) and Section 501(c)(3), Internal Revenue Code of 1986; and

(2) is organized and operated as:

(A) a migrant, community, or homeless health center under the authority of and in compliance with 42 U.S.C. Section 254b or 254c; or

(B) a federally qualified health center under 42 U.S.C. Section 1396d(1)(2)(B).

(b) The board by rule shall certify a health organization to contract with or employ an optometrist or therapeutic optometrist if the organization:

(1) applies for certification on a form approved by the board; and

1           (2) presents proof satisfactory to the board that the  
2 organization is a community health center.

3           (c) A community health center that contracts with or employs  
4 an optometrist or therapeutic optometrist under this section may  
5 not control or attempt to control the professional judgment of the  
6 optometrist or therapeutic optometrist.

7           SECTION 2. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2009.

S.B. No. 1476

David Dewhurst  
President of the Senate

Jim Strawn  
Speaker of the House

I hereby certify that S.B. No. 1476 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0.

Datsy Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 1476 passed the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, one present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

27 MAY '09  
Date

RICK PERRY  
Governor

SECRETARY OF STATE  
5 pm O'CLOCK  
MAY 27 2009  
Debra R. Rodriguez  
Secretary of State