

BILL ANALYSIS

S.B. 1520
By: Hancock
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties suggest that changes need to be made to ensure that a physician who departs a medical practice has access to pertinent files and properly informs the physician's patients. S.B. 1520 seeks to make those changes.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Medical Board in SECTION 2 of this bill.

ANALYSIS

S.B. 1520 amends the Occupations Code to require a medical practice to provide to a physician who retires from, terminates employment with, or otherwise leaves the medical practice a list of each patient seen or treated by the departing physician in the two years preceding the date of the physician's departure, along with the patient's most recent available contact information, and, on written authorization of a patient of the departing physician, access to the patient's medical records and copies of the patient's medical records on payment of a fee not to exceed the reasonable fee that may be charged by a physician for such copies as prescribed by the Texas Medical Board. The bill prohibits these requirements from being waived, voided, or nullified by contract. The bill requires the list and medical records to be provided to the departing physician in the same format in which the records are maintained by the medical practice, unless the departing physician and medical practice agree otherwise.

S.B. 1520 requires the board by rule to require that a physician notify the physician's patients before retiring from, terminating employment with, or otherwise leaving a medical practice and provide the patients the opportunity to request copies of billing or medical records. The bill prohibits these requirements from being waived, voided, or nullified by contract.

EFFECTIVE DATE

September 1, 2017.