

SUBJECT: Continuing medical education for physicians who treat tick-borne diseases

COMMITTEE: Public Health — committee substitute recommended

VOTE: 7 ayes — Kolkhorst, Alvarado, Coleman, Gonzales, Laubenberg,
Schwertner, Truitt

0 nays

4 absent — Naishtat, S. Davis, S. King, Zerwas

WITNESSES: For — Kylie Adamson; Lucina Botond; Dave Claunch; (*Registered, but did not testify*: Harriet Bishop, Texas Lyme Disease Association; Dan Finch, Texas Medical Association; Mary Delaware; Charles Gordon; Teresa Jones; Haley Mack; Jill Selman; Weston Selman; Charlie Webb)

Against — None

On — Megan Goode, Texas Medical Board

BACKGROUND: Concerns about an increased incidence of tick-borne diseases (e.g., Lyme disease) in Texas have raised questions about whether physicians should receive more training on how to diagnose and treat these illnesses.

DIGEST: CSHB 2975 would require the Texas Medical Board (TMB) to adopt rules to establish the content of and approval requirements for continuing medical education on the treatment of tick-borne diseases (e.g., Lyme disease) by January 31, 2012.

The TMB would have to review continuing medical education courses in this treatment area and include courses that had been approved in other states. Any course identified and approved for accreditation by the TMB would have to represent an appropriate spectrum of relevant medical clinical treatment relating to tick-borne diseases.

The TMB would have to cooperate with the Texas Board of Nursing to adopt rules, and the TMB would have to adopt the rules by January 31, 2012. The TMB and the Texas Board of Nursing would be required to

report to the governor, the lieutenant governor, and the speaker concerning the adoption of the rules by February 6, 2012.

A licensed physician whose practice included treatment for tick-borne diseases would be encouraged to complete continuing medical education in this area during each two-year licensing period or upon renewal.

If a licensed physician was under investigation for a complaint related to the treatment of a tick-borne disease, the TMB would have to consider the physician's participation in a continuing medical education course in this area if the course had been completed within two years before the investigation.

The bill would take effect September 1, 2011, and would apply to a relevant investigation or disciplinary action filed on or after the effective date.

NOTES:

The committee substitute removed a provision that would have prohibited the TMB or the TBN from taking disciplinary action against a physician or nurse who made a good-faith attempt to treat a patient with a tick-borne illness if the patient had been informed of the risks and consented to the treatment.

The companion bill, SB 1360 by Harris was reported favorably, as substituted, by the Health and Human Services Committee on May 6 and recommended for the Local and Uncontested Calendar.