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**The following 10 amendments were
published on 7/23/17 2:02 PM**

17 JUL 20 PM 12:46



HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: BURROWS

1 Amend H.B. No. 1 by adding the following appropriately
2 numbered SECTION to the bill and renumbering subsequent SECTIONS of
3 the bill accordingly:

4 SECTION _____. Chapter 322, Government Code, is amended by
5 adding Section 322.002 to read as follows:

6 Sec. 322.002. SUNSET PROVISION. The Legislative Budget
7 Board is subject to Chapter 325 (Texas Sunset Act). Unless
8 continued in existence as provided by that chapter, the board is
9 abolished September 1, 2019.



17 JUL 20 AM 11:20

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Amend H.B. No. 1 by adding the following appropriately
numbered SECTIONS to the bill and renumbering subsequent SECTIONS
of the bill accordingly:

SECTION _____. Chapter 325, Government Code, is amended by
adding Section 325.026 to read as follows:

Sec. 325.026. EFFICIENCY REVIEW OF MUNICIPALLY OWNED WATER
UTILITIES. (a) The commission, in consultation with the
Legislative Budget Board, periodically may review and analyze the
effectiveness and efficiency of the policies, management, fiscal
affairs, and operations of a municipally owned water utility. The
commission shall consult with the board to use best practices in
reviewing a municipally owned water utility. The commission shall
share information with the board and consult with staff of the board
on developing recommendations to improve the effectiveness and
operational efficiency of a municipally owned water utility under
review.

(b) The commission shall report the findings of a review and
analysis to the governor and the legislature.

(c) Until the commission has completed a review and analysis
under this section, all information, documentary or otherwise,
prepared or maintained in conducting the review and analysis or
preparing the review report, including intra-agency and
interagency communications and drafts of the review report or
portions of those drafts, is excepted from required public
disclosure as audit working papers under Section 552.116. This
subsection does not affect whether information described by this
subsection is confidential or excepted from required public
disclosure under a law other than Section 552.116.

(d) The commission may delegate to the Legislative Budget

1 Board a review and analysis authorized under this section.

2 SECTION _____. The Sunset Advisory Commission, in
3 consultation with the Legislative Budget Board, shall conduct an
4 efficiency review authorized by Section 325.026, Government Code,
5 as added by this Act, of the San Antonio Water System and report the
6 findings of the review and analysis to the governor and the
7 legislature not later than December 31, 2018.



17 JUL 21 PM 3:59

HOUSE REPORT 100-1000

FLOOR AMENDMENT NO. _____

BY:

Lucio III

1 Amend H.B. No. 1 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Chapter 169, Occupations Code, is amended by
5 adding Section 169.006 to read as follows:

6 Sec. 169.006. ALTERNATIVE PHYSICIAN RECOMMENDATION
7 PROGRAM. (a) If the board determines that, following a ruling from
8 a federal court, a physician may not make a prescription for low-THC
9 cannabis under this chapter consistent with federal law, the board
10 shall implement a program to allow a physician to issue a written
11 recommendation to a patient for the use of low-THC cannabis under
12 this chapter. Under the program, a physician may issue a written
13 recommendation for low-THC cannabis for a patient in lieu of a
14 prescription. Following adoption of a program under this section,
15 a reference in this chapter or Chapter 481 or 487, Health and Safety
16 Code, to:

17 (1) a "prescription" for low-THC cannabis means a
18 "recommendation" for low-THC cannabis;

19 (2) a "prescriber" of low-THC cannabis means a
20 "recommending physician" who has recommended low-THC cannabis for a
21 patient in accordance with this chapter; and

22 (3) a patient for whom low-THC cannabis is
23 "prescribed" is a patient for whom low-THC cannabis is
24 "recommended" in accordance with this chapter.

25 (b) Under a program implemented under this section:

26 (1) the board shall adopt a low-THC cannabis
27 recommendation form for the use of a physician who recommends
28 low-THC cannabis for a patient under this chapter; and

29 (2) a physician who recommends low-THC cannabis to a

1 patient under this chapter must issue a low-THC cannabis
2 recommendation form to the patient.

3 (c) In implementing the program under this section, the
4 board shall determine whether a physician may specify the dosage of
5 low-THC cannabis recommended for a patient for whom low-THC
6 cannabis is recommended under this chapter, the method of
7 administration recommended for the patient, and the total monthly
8 amount of low-THC cannabis recommended for the patient to obtain
9 each month from a dispensing organization without risk to the
10 physician of an investigation or disciplinary order involving the
11 physician's license to prescribe, dispense, administer, supply, or
12 sell a controlled substance.

13 (d) Notwithstanding any other law, a physician who
14 recommends low-THC cannabis for a patient under a program
15 implemented under this section is not required to specify the
16 dosage recommended for a patient, the method of administration
17 recommended for the patient, or the total monthly amount of low-THC
18 cannabis recommended for the patient unless the board makes the
19 determination under Subsection (c).

20 (e) The board may not take a disciplinary action against or
21 impose an administrative penalty on a physician solely for
22 recommending the medical use of low-THC cannabis in accordance with
23 a program implemented under this section.



17 JUL 23 PM 1:45

FLOOR AMENDMENT NO. _____

BY:

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Amend H.B. No. 1 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION __. (a) Section 162.003, Occupations Code, is amended to read as follows:

Sec. 162.003. REFUSAL TO CERTIFY; REVOCATION; PENALTY. On a determination that a health organization commits a violation of this subtitle or is established, organized, or operated in violation of or with the intent to violate this subtitle, the board may:

(1) refuse to certify the health organization on application for certification by the organization under Section 162.001;

(2) revoke a certification made under Section 162.001 to that organization; or

(3) impose an administrative penalty against the health organization under Subchapter A, Chapter 165.

(b) Subchapter A, Chapter 162, Occupations Code, is amended by adding Sections 162.004 and 162.005 to read as follows:

Sec. 162.004. PROCEDURES FOR AND DISPOSITION OF COMPLAINTS AGAINST NONPROFIT HEALTH CORPORATIONS. (a) The board shall accept and process complaints against a health organization certified under Section 162.001(b) for alleged violations of this subchapter or any other provision of this subtitle applicable to a health organization in the same manner as provided under Subchapter B, Chapter 154, and the rules adopted under that subchapter, including the requirements to:

(1) maintain a system to promptly and efficiently act

1 on complaints filed with the board;

2 (2) ensure that a complaint is not dismissed without
3 appropriate consideration; and

4 (3) establish methods by which physicians employed by
5 a health organization are notified of the name, mailing address,
6 and telephone number of the board for the purpose of directing
7 complaints under this section to the board.

8 (b) Each complaint, adverse report, investigation file,
9 other investigation report, and other investigative information
10 in the possession of or received or gathered by the board or the
11 board's employees or agents relating to a health organization
12 certified under Section 162.001(b) is privileged and
13 confidential and is not subject to discovery, subpoena, or other
14 means of legal compulsion for release to anyone other than the
15 board or the board's employees or agents involved in the
16 investigation or discipline of a health organization certified
17 under Section 162.001(b).

18 (c) The board may dispose of a complaint or resolve the
19 investigation of a complaint under this section in a manner
20 provided under Subchapter A, Chapter 164, to the extent the
21 board determines the provisions of that subchapter can be made
22 applicable to a health organization certified under Section
23 162.001.

24 (d) The board may adopt rules as necessary to implement
25 this section.

26 Sec. 162.005. RETALIATION PROHIBITED. (a) In this
27 section, "nonprofit health corporation" means a health
28 organization certified under Section 162.001(b).

29 (b) A nonprofit health corporation may not, as applicable,
30 terminate, demote, retaliate against, discipline, discriminate
31 against, or otherwise penalize a person, a person's family

1 member, or a person's partner because the person:

2 (1) files a complaint under Section 162.004;

3 (2) reports in good faith an act or omission that the
4 person reasonably believes is a violation or attempted violation
5 of applicable state or federal law, including rules adopted
6 under state or federal law, to, as appropriate:

7 (A) the nonprofit health corporation;

8 (B) a regulatory agency; or

9 (C) a law enforcement authority;

10 (3) initiates or cooperates in an investigation or
11 proceeding of a regulatory agency or law enforcement authority
12 relating to care or services provided by, or policies of, the
13 nonprofit health corporation; or

14 (4) communicates to a patient information regarding
15 medically appropriate health care.

16 (c) A nonprofit health corporation may not prohibit,
17 restrict, or discourage a person from taking any action
18 described by Subsection (b).

19 (d) A person who makes a report under Subsection (b)(2) is
20 immune from civil liability for a report made in good faith.

21 (e) An employment contract between a nonprofit health
22 corporation and a physician must contain a provision requiring
23 the nonprofit health corporation to comply with the requirements
24 of this section.

25 (c) Section 162.003, Occupations Code, as amended by this
26 section, and Section 162.004, Occupations Code, as added by this
27 section, apply only to a violation by a health organization that
28 occurs on or after the effective date of this section. A
29 violation that occurs before the effective date of this section
30 is governed by the law in effect on the date the violation
31 occurred, and the former law is continued in effect for that

1 purpose.

2 (d) Section 162.005, Occupations Code, as added by this
3 section, applies only to an adverse action that is taken by a
4 nonprofit health corporation on or after the effective date of
5 this section. An adverse action taken before the effective date
6 of this section is governed by the law in effect on the date the
7 adverse action was taken, and the former law is continued in
8 effect for that purpose.

9 (e) Section 162.005(e), Occupations Code, as added by this
10 section, applies only to a contract entered into on or after the
11 effective date of this section.

12 (f) This section takes effect December 1, 2017.



17 JUL 23 PM 1:39

FLOOR AMENDMENT NO. _____

BY: Springer

1 Amend H.B. No. 1 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering SECTIONS of the bill accordingly:

4 SECTION _____. Effective September 1, 2017, Section
5 1003.055, Health and Safety Code, as added by Chapter 697 (H.B.
6 810), Acts of the 85th Legislature, Regular Session, 2017, as
7 effective September 1, 2017, is amended by adding Subsection (f) to
8 read as follows:

9 (f) If the Texas Medical Board does not adopt rules under
10 this section on or before March 1, 2018, the board may not take a
11 disciplinary action against a physician, who otherwise complies
12 with applicable law, for administering an investigational stem cell
13 treatment under this subchapter. This subsection may not be
14 construed to exempt a physician from complying with rules adopted
15 under this subchapter after that date.



17 JUL 23 PM 1:37
H.B. NO. 1111111111

FLOOR AMENDMENT NO. _____

BY: A.P. Wall

1 Amend H.B. No. 1 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 34.018, Health and Safety Code, is
5 amended to read as follows:

6 Sec. 34.018. SUNSET PROVISION. The task force is subject
7 to Chapter 325, Government Code (Texas Sunset Act). Unless
8 continued in existence as provided by that chapter, the task force
9 is abolished and this chapter expires September 1, 2023 [~~2019~~].



17 JUL 23 PM 1:38

FLOOR AMENDMENT NO. _____

BY: ZEDLER

Amend H.B. No. 1 by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The Texas Sunset Commission, the Texas Department of Public Safety, and the Texas Attorney General shall conduct an investigation during the interim between the 85th and 86th session to determine the validity of accusations of any illegal activity or violation of multiple individuals' Constitutional rights in the conducting of investigations of complaints against physicians.



17 JUL 23 PM 1:38

FLOOR AMENDMENT NO. _____

BY: ZEDLER

Amend H.B. No. 1 by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Sec. 160.008. USE OF CERTAIN CONFIDENTIAL INFORMATION. (a) This section applies to a person participating in peer review, a medical peer review committee, or a health care entity named as a defendant in a civil action filed as a result of participation in peer review.

(b) A defendant subject to this section may use otherwise confidential information obtained for legitimate internal business and professional purposes, including use in the defendant's own defense. Use of confidential information under this subsection does not constitute a waiver of the confidential and privileged nature of medical peer review committee proceedings.

(c) A defendant subject to this section may file a counterclaim in a pending action or may prove a cause of action in a subsequent action to recover defense costs, including court costs, attorney's fees, and damages incurred as a result of the civil action, if the plaintiff's original action is determined to be frivolous or brought in bad faith.

(d) The Board shall obtain a warrant or the permission of those individuals whose records are affected before accessing the private medical records of individuals for the purpose of this section.



17 JUL 23 PM 1:39
10/17/2023 1:39 PM

FLOOR AMENDMENT NO. _____

BY: ZEDLER

Amend H.B. No. 1 by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Texas Occupation code, Sec. 164.009 , is amended by adding Section 38.0021 to read as follows:

JUDICIAL REVIEW. A person whose license to practice medicine has been revoked or who is subject to other disciplinary action by the board may appeal to a Travis County district court or to a district court in the county where the licensee practices not later than the 30th day after the date the board decision is final. The appeal shall be a trial de novo review.



17 JUL 23 PM 1:48

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: ZEDLER

Amend H.B. No. 1 by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 6. Section 154.002(a)(6) Occupations Code, is amended to read as follows:

(6) a statistical report each fiscal year to the legislature, Office of the Ombudsman, and the public that provides aggregate information about all complaints received by, and complaints against, the board categorized by type of complaint, including administrative, quality of care, medical error, substance abuse, other criminal behavior, and the disposition of those complaints by category;

SECTION _____. Sec. 154.0535(b), Occupations Code, is amended to read as follows:

(b) The board may not accept anonymous complaints, and will investigate for alleged bad-faith complaints against licensees. If the board determines bad-faith reporting has occurred, it will dismiss such allegations, expunge the licensee's record of the allegation(s), and may refer the false reporting to appropriate authorities.

SECTION _____. Section 154.0545, Occupations Code is added, entitled "Complaints against the Board- Ombudsman Services", and reads:

Complaints against the Board will be referred to The Office of the Ombudsman's services of the Health and Human Services Commission. The purpose and function of the Ombudsman shall be to:

- Conduct independent reviews of complaints concerning

agency policies or practices

- Ensure policies and practices are consistent with the Medical Practice Act, other state and or federal laws, and Board Rules.

- Ensure individuals are treated fairly, respectfully and with dignity.

- Make referrals to other agencies as appropriate for investigation of any violations of law or Rules.

SECTION _____. Section 154.055(a), Occupations Code, is amended to read as follows:

On request from a legislative committee created under Subchapter B, Chapter 301, Government Code, the board shall release all information regarding complaints against the board, or a complaint against a physician, to aid in a legitimate legislative inquiry. The board may release the information only to the members of the committee.