

BILL ANALYSIS

Senate Research Center
82R7435 JAM-F

H.B. 680
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When a complaint against a licensed physician is received by the Texas Medical Board (TMB), TMB has a maximum of 30 days to inform the physician of the complaint and complete a preliminary investigation. However, there is a concern that this deadline does not properly account for the time it takes TMB to receive, process, and send notification of the complaint or allow adequate time for the physician to respond.

H.B. 680 addresses this issue by extending the period, from 30 to 45 days, in which TMB is allowed to complete a preliminary investigation against a licensed physician and by extending the period in which TMB is required to notify a licensed physician of a scheduled informal hearing.

H.B. 680 requires TMB to give notice to the license holder of the time and place of a meeting not later than the 45th day before the date the meeting is held, as opposed to the current notification requirement of 30 days prior to the date the meeting is held.

H.B. 680 amends current law relating to complaints filed with the Texas Medical Board.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 154.057(b), Occupations Code, to require the Texas Medical Board (TMB) to complete a preliminary investigation of the complaint not later than the 45th day, rather than the 30th day, after the date of receiving the complaint.

SECTION 2. Amends Section 164.003(b), Occupations Code, to require that rules adopted under this section require that certain conditions are met, including that TMB give notice to the license holder of the time and place of the meeting not later than the 45th day, rather than the 30th day, before the date the meeting is held.

SECTION 3. Makes application of Sections 154.057 and 164.003, Occupations Code, as amended by this Act, prospective.

SECTION 4. Effective date: September 1, 2011.