

BILL ANALYSIS

Senate Research Center
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S.B. 2115
By: Lucio
Health & Human Services
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Nurses, chiropractors, optometrists, dentists, and other health care practitioners are regulated by their respective licensing boards. But sometimes, a complaint about one of these providers may be filed with a board other than the one that regulates them, and the health care practitioner may ultimately be disciplined by that board. This system is confusing to licensees because it makes them accountable to multiple licensing boards, has the potential to waste taxpayer resources through inefficient and potentially duplicative investigations, and means health care practitioners could be disciplined by boards with very little understanding of the practitioner's practice or profession.

S.B. 2115 will require health care licensing boards to refer complaints involving practitioners licensed by other licensing boards to the appropriate licensing board for investigation and possible discipline and will prohibit a health care licensing board from disciplining practitioners licensed by other licensing boards unless the licensing board responsible for regulating the health care practitioner refers the complaint back to the licensing board for investigation and possible disciplinary action.

S.B. 2115 will save taxpayers resources and ensure health care practitioners are regulated by their peers who understand their practices.

As proposed, S.B. 2115 amends current law relating to the procedure for certain complaints against health care practitioners.

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 Chapter 112, Occupations Code, by adding Subchapter C, as follows:

SUBCHAPTER C. COMPLAINT REFERRALS

Sec. 112.101. COMPLAINTS AGAINST HEALTH CARE PRACTITIONER LICENSED BY DIFFERENT LICENSING ENTITY. (a) Requires a licensing entity that receives a complaint concerning a health care practitioner who holds a license issued by a different licensing entity, notwithstanding any other law, to promptly forward a copy of the complaint to that licensing entity.

(b) Prohibits a licensing entity from taking disciplinary action based on a complaint against a health care practitioner who holds a license issued by a different licensing entity unless that licensing entity refers the complaint back to the licensing entity that received the complaint for investigation and resolution.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2021.