

- SUBJECT:** Continuing the Texas Medical Board and four other boards until 2019
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 10 ayes — Cook, Giddings, Geren, Guillen, K. King, Kuempel, Meyer, Paddie, E. Rodriguez, Smithee
- 0 nays
- 3 absent — Craddick, Farrar, Oliveira
- WITNESSES:** For — Stephanie Kneedler, Texas Association of School Psychologists; David Nalle, Republican Liberty Caucus; (*Registered, but did not testify:* Bonnie Bruce, Texas Society of Anesthesiologists; Adam Cahn, Cahnman's Musings; Jaime Capelo, Texas Chapter of the American College of Cardiology, Texas Society of Anesthesiologists, Texas Urological Society, Texas Society of Plastic Surgeons, Texas Academy of Physician Assistants; Dan Finch, Texas Medical Association; Will Francis, National Association of Social Workers - Texas Chapter; Shannon Noble, Texas Counseling Association; David White, Texas Psychological Association)
- Against — None
- On — Jason Vaughn, Texas Young Republicans Federation; (*Registered, but did not testify:* Erick Fajardo, Ken Levine, and Robert Romig, Sunset Advisory Commission)
- BACKGROUND:** If not continued in statute, the Texas Medical Board, the Texas State Board of Examiners of Psychologists, the Texas State Board of Examiners of Marriage and Family Therapists, the Texas State Board of Examiners of Professional Counselors, and the Texas State Board of Social Worker Examiners would be abolished on September 1, 2017.
- The Texas Medical Board licenses and regulates medical practitioners in the state. It also oversees board regulatory programs for physician

assistants, acupuncturists, and surgical assistants. In 2015, the Legislature transferred from the Department of State Health Services (DSHS) to the board the regulation of medical physicists, perfusionists, medical radiologic technologists, and respiratory care practitioners. In addition to medical licensing and regulation, the Texas Medical Board:

- registers and inspects pain management clinics and physicians who perform office-based anesthesia;
- investigates and resolves complaints;
- takes disciplinary action when necessary to enforce the board's statutes and rules; and
- monitors compliance with disciplinary orders.

The Texas State Board of Examiners of Psychologists examines, licenses, and monitors psychologists, psychological associates, and licensed specialists in school psychology. The board also enforces violations of the Psychologists Licensing Act and board rules by investigating complaints, taking action against violators, and monitoring compliance of disciplined licensees.

The Texas State Board of Examiners of Marriage and Family Therapists, the Texas State Board of Examiners of Professional Counselors, and the Texas State Board of Social Worker Examiners are each administratively attached to DSHS. These boards license marriage and family therapists, professional counselors, and social workers, respectively. Each board also investigates, enforces, and takes necessary disciplinary action for any violation related to board rules or the licensed profession.

DIGEST: HB 1 would continue until September 1, 2019, the Texas Medical Board, the Texas State Board of Examiners of Psychologists, the Texas State Board of Examiners of Marriage and Family Therapists, the Texas State Board of Examiners of Professional Counselors, and the Texas State Board of Social Worker Examiners.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take

effect on the 91st day after the last day of the special session.

**SUPPORTERS
SAY:**

By extending the Sunset date for five regulatory boards, including the Texas Medical Board, to September 1, 2019, HB 1 would help ensure that physicians and other professionals licensed by these boards continued to receive appropriate licensure and oversight in Texas. The bill's language is specific to the governor's special session proclamation, and any additional changes to these boards would be beyond the scope of the bill.

**OPPONENTS
SAY:**

To avoid duplication of efforts by the Sunset Advisory Commission, HB 1 should extend the Sunset date for these boards for the recommended 12 years and implement remaining Sunset recommendations from the 2016-17 review cycle. The bill also should address other relevant concerns, such as under-representation of school psychologists on the Texas State Board of Examiners of Psychologists.

NOTES:

A companion bill, SB 20 by V. Taylor, was approved by the Senate on July 20.