

1-1 By: Watson, et al. S.B. No. 319
1-2 (In the Senate - Filed March 9, 2017; March 16, 2017, read
1-3 first time and referred to Committee on Agriculture, Water & Rural
1-4 Affairs; April 18, 2017, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 April 18, 2017, sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 319 By: Perry

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the continuation and functions of the State Board of
1-20 Veterinary Medical Examiners; authorizing a reduction in fees;
1-21 providing penalties.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 801.003, Occupations Code, is amended to
1-24 read as follows:

1-25 Sec. 801.003. APPLICATION OF SUNSET ACT. The State Board of
1-26 Veterinary Medical Examiners is subject to Chapter 325, Government
1-27 Code (Texas Sunset Act). Unless continued in existence as provided
1-28 by that chapter, the board is abolished and this chapter expires
1-29 September 1, 2021 [~~2017~~].

1-30 SECTION 2. Section 801.051(a), Occupations Code, is amended
1-31 to read as follows:

1-32 (a) The State Board of Veterinary Medical Examiners
1-33 consists of nine members appointed by the governor with the advice
1-34 and consent of the senate as follows:

1-35 (1) five [~~six~~] veterinarian members, including:

1-36 (A) one veterinarian member who is associated
1-37 with an animal shelter; and

1-38 (B) one veterinarian member who has at least
1-39 three years of experience practicing veterinary medicine in this
1-40 state on horses, livestock, or other large animals; ~~and~~

1-41 (2) one licensed veterinary technician member; and

1-42 (3) three members who represent the public.

1-43 SECTION 3. Section 801.057, Occupations Code, is amended by
1-44 amending Subsection (b) and adding Subsection (d) to read as
1-45 follows:

1-46 (b) The training program must provide the person with
1-47 information regarding:

1-48 (1) the law governing board operations;

1-49 (2) the ~~legislation that created the board and the~~
1-50 ~~board's~~ programs, functions, rules, and budget of the board;

1-51 (3) the scope of and limitations on the rulemaking
1-52 authority of the board;

1-53 (4) the types of board rules, interpretations, and
1-54 enforcement actions that may implicate federal antitrust law by
1-55 limiting competition or impacting prices charged by persons engaged
1-56 in a profession or business the board regulates, including rules,
1-57 interpretations, and enforcement actions that:

1-58 (A) regulate the scope of practice of persons in
1-59 a profession or business the board regulates;

1-60 (B) restrict advertising by persons in a

2-1 profession or business the board regulates;
2-2 (C) affect the price of goods or services
2-3 provided by persons in a profession or business the board
2-4 regulates; or
2-5 (D) restrict participation in a profession or
2-6 business the board regulates;
2-7 (5) [~~2~~] the results of the most recent formal audit
2-8 of the board;
2-9 (6) [~~3~~] the requirements of:
2-10 (A) laws relating to open meetings, public
2-11 information, administrative procedure, and disclosing conflicts of
2-12 interest; and
2-13 (B) other laws applicable to members of the board
2-14 in performing their duties; and
2-15 (7) [~~4~~] any applicable ethics policies adopted by
2-16 the board or the Texas Ethics Commission.
2-17 (d) The executive director of the board shall create a
2-18 training manual that includes the information required by
2-19 Subsection (b). The executive director shall distribute a copy of
2-20 the training manual annually to each board member. On receipt of
2-21 the training manual, each board member shall sign and submit to the
2-22 executive director a statement acknowledging receipt of the
2-23 training manual.
2-24 SECTION 4. Section 801.154, Occupations Code, is amended to
2-25 read as follows:
2-26 Sec. 801.154. FEES. [~~a~~] The board by rule shall set fees
2-27 in amounts that are reasonable and necessary so that the fees, in
2-28 the aggregate, cover the costs of administering this chapter. [~~The~~
2-29 ~~board may not set a fee that existed on September 1, 1993, in an~~
2-30 ~~amount that is less than the fee on that date.~~]
2-31 SECTION 5. Subchapter D, Chapter 801, Occupations Code, is
2-32 amended by adding Section 801.164 to read as follows:
2-33 Sec. 801.164. RISK-BASED INSPECTIONS RELATED TO CONTROLLED
2-34 SUBSTANCES PRACTICES. The board may conduct a risk-based
2-35 inspection of a veterinarian's practice based on information
2-36 obtained from the veterinarian or another source concerning the
2-37 veterinarian's use, handling, prescribing, dispensing, or delivery
2-38 of controlled substances.
2-39 SECTION 6. Section 801.205, Occupations Code, is amended to
2-40 read as follows:
2-41 Sec. 801.205. GENERAL RULES REGARDING COMPLAINT
2-42 INVESTIGATION AND DISPOSITION. The board shall adopt rules
2-43 relating to the investigation of complaints filed with the board.
2-44 The rules must:
2-45 (1) distinguish between categories of complaints;
2-46 (2) ensure that complaints are not dismissed without
2-47 appropriate consideration;
2-48 (3) require that the board be advised of a complaint
2-49 that is dismissed [~~and that a written explanation be given to the~~
2-50 ~~person who filed the complaint explaining the action taken on the~~
2-51 ~~dismissed complaint];~~
2-52 (4) ensure that the person who filed the complaint has
2-53 the opportunity to explain the allegations made in the complaint;
2-54 and
2-55 (5) prescribe guidelines concerning the categories of
2-56 complaints that require the use of a private investigator and the
2-57 procedures for the board to obtain the services of a private
2-58 investigator.
2-59 SECTION 7. Section 801.2055, Occupations Code, is amended
2-60 to read as follows:
2-61 Sec. 801.2055. COMPLAINTS REQUIRING MEDICAL EXPERTISE.
2-62 (a) A complaint that requires medical expertise to review must be
2-63 reviewed by one [~~two~~] or more veterinarians designated by the
2-64 [veterinarian] board [members]. The veterinarian reviewers [board
2-65 members] shall determine whether to dismiss the complaint or refer
2-66 it to an informal proceeding under Section 801.408.
2-67 (b) If the veterinarian reviewers determine to:
2-68 (1) dismiss the complaint, the dismissal must be
2-69 approved by the board at a public meeting; or

3-1 (2) refer the complaint to an informal proceeding, the
3-2 complaint is referred to an informal proceeding under Section
3-3 801.408.

3-4 (c) If the board designates more than one veterinarian
3-5 reviewer and the reviewers [~~members~~] do not agree to dismiss or
3-6 refer the complaint to an informal proceeding, the complaint is
3-7 referred to an informal proceeding under Section 801.408.

3-8 (d) A veterinarian board member who reviews a complaint
3-9 under this section may not participate in any subsequent
3-10 disciplinary proceeding related to the complaint.

3-11 SECTION 8. Section 801.207, Occupations Code, is amended by
3-12 amending Subsection (b) and adding Subsections (c), (d), and (e) to
3-13 read as follows:

3-14 (b) Each complaint, investigation file and record, and
3-15 other investigation report and all other investigative information
3-16 in the possession of or received or gathered by the board or the
3-17 board's employees or agents relating to a license holder, an
3-18 application for license, or a criminal investigation or proceeding
3-19 is privileged and confidential and is not subject to discovery,
3-20 subpoena, or other means of legal compulsion for release to anyone
3-21 other than the board or the board's employees or agents involved in
3-22 discipline of a license holder [~~An investigation record of the~~
3-23 ~~board, including a record relating to a complaint that is found to~~
3-24 ~~be groundless, is confidential].~~

3-25 (c) The board shall protect the identity of a complainant to
3-26 the extent possible.

3-27 (d) Not later than the 30th day after the date of receipt of
3-28 a written request from a license holder who is the subject of a
3-29 formal complaint initiated and filed under this subchapter or from
3-30 the license holder's counsel of record, and subject to any other
3-31 privilege or restriction set forth by rule, statute, or legal
3-32 precedent, and unless good cause is shown for delay, the board shall
3-33 provide the license holder with access to all information in its
3-34 possession that the board intends to offer into evidence in
3-35 presenting its case in chief at the contested hearing on the
3-36 complaint. The board is not required to provide:

- 3-37 (1) a board investigative report or memorandum;
- 3-38 (2) the identity of a nontestifying complainant; or
- 3-39 (3) attorney-client communications, attorney work
3-40 product, or other materials covered by a privilege recognized by
3-41 the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

3-42 (e) Furnishing information under Subsection (d) does not
3-43 constitute a waiver of privilege or confidentiality under this
3-44 chapter or other applicable law.

3-45 SECTION 9. Subchapter E, Chapter 801, Occupations Code, is
3-46 amended by adding Section 801.208 to read as follows:

3-47 Sec. 801.208. NOTIFICATION TO COMPLAINANT REGARDING
3-48 COMPLAINT DISPOSITION. (a) The board shall promptly notify a
3-49 complainant of the final disposition of the complaint, including
3-50 notice:

- 3-51 (1) that the complaint was dismissed;
- 3-52 (2) that a penalty, disciplinary action, or other
3-53 sanction was imposed; or
- 3-54 (3) that the complaint was disposed of in another
3-55 manner and the nature of that disposition.

3-56 (b) The board shall include with the notification a copy of
3-57 any public sanction imposed by the board.

3-58 (c) The board shall include in the notification an
3-59 explanation of each reason for the disposition, including, as
3-60 applicable, in plain, easily understandable language, each reason
3-61 the conduct alleged in the complaint did or did not constitute
3-62 grounds for the imposition of a penalty, disciplinary action, or
3-63 other sanction.

3-64 (d) The notification may not include information that is
3-65 confidential under Section 801.207(b).

3-66 SECTION 10. Subchapter E, Chapter 801, Occupations Code, is
3-67 amended by adding Section 801.209 to read as follows:

3-68 Sec. 801.209. REQUIREMENTS FOR CERTAIN COMPLAINTS. (a) In
3-69 this section:

4-1 (1) "Anonymous complaint" means a complaint that lacks
4-2 sufficient information to identify the source or the name of the
4-3 person who filed the complaint.

4-4 (2) "Insurance professional" means a person licensed
4-5 under Title 13, Insurance Code.

4-6 (3) "Insurer" means an insurance company or other
4-7 entity authorized to engage in the business of insurance under
4-8 Title 6, Insurance Code.

4-9 (b) The board may not accept anonymous complaints.

4-10 (c) Notwithstanding any confidentiality requirements under
4-11 Chapter 552, Government Code, or this chapter, a complaint filed
4-12 with the board against a license holder by a pharmaceutical company
4-13 or by an insurance professional or insurer relating to insurance
4-14 covering veterinary services must include the name and address of
4-15 the pharmaceutical company, insurance professional, or insurer
4-16 filing the complaint. Not later than the 15th day after the date
4-17 the complaint is filed with the board, the board shall notify the
4-18 license holder who is the subject of the complaint of the name and
4-19 address of the pharmaceutical company, insurance professional, or
4-20 insurer who filed the complaint, unless the notice would jeopardize
4-21 an investigation.

4-22 SECTION 11. Subchapter F, Chapter 801, Occupations Code, is
4-23 amended by adding Section 801.267 to read as follows:

4-24 Sec. 801.267. CRIMINAL HISTORY RECORD INFORMATION FOR
4-25 LICENSE ISSUANCE. (a) The board shall require that an applicant
4-26 for a license submit a complete and legible set of fingerprints, on
4-27 a form prescribed by the board, to the board or to the Department of
4-28 Public Safety for the purpose of obtaining criminal history record
4-29 information from the Department of Public Safety and the Federal
4-30 Bureau of Investigation.

4-31 (b) The board may not issue a license to a person who does
4-32 not comply with the requirement of Subsection (a).

4-33 (c) The board shall conduct a criminal history record
4-34 information check of each applicant for a license using
4-35 information:

4-36 (1) provided by the individual under this section; and

4-37 (2) made available to the board by the Department of
4-38 Public Safety, the Federal Bureau of Investigation, and any other
4-39 criminal justice agency under Chapter 411, Government Code.

4-40 (d) The board may:

4-41 (1) enter into an agreement with the Department of
4-42 Public Safety to administer a criminal history record information
4-43 check required under this section; and

4-44 (2) authorize the Department of Public Safety to
4-45 collect from each applicant the costs incurred by the Department of
4-46 Public Safety in conducting the criminal history record information
4-47 check.

4-48 SECTION 12. Section 801.301, Occupations Code, is amended
4-49 to read as follows:

4-50 Sec. 801.301. LICENSE TERM AND ~~ANNUAL~~ RENEWAL ~~REQUIRED~~.

4-51 (a) The board shall provide:

4-52 (1) that each type of license under this chapter is
4-53 valid for a term of one year or two years; and

4-54 (2) for the ~~annual~~ renewal of a license.

4-55 (b) The board by rule may adopt a system under which
4-56 licenses expire on various dates during the year.

4-57 (c) For a year in which the license expiration date is
4-58 changed, the board shall prorate license fees ~~[payable on March 1~~
4-59 ~~shall be prorated]~~ on a monthly basis so that each license holder
4-60 pays only that portion of the fee that is allocable to the number of
4-61 months during which the license is valid. On renewal of the license
4-62 on the new expiration date, the total license renewal fee is
4-63 payable.

4-64 SECTION 13. Section 801.306, Occupations Code, is amended
4-65 to read as follows:

4-66 Sec. 801.306. INACTIVE STATUS. The board by rule may
4-67 provide for the placement of a license holder on inactive status.
4-68 ~~[The rules adopted under this section must include a limit on the~~
4-69 ~~time a license holder may remain on inactive status.]~~

5-1 SECTION 14. Sections 801.307(b) and (c), Occupations Code,
5-2 are amended to read as follows:

5-3 (b) The board may:

5-4 (1) establish general categories of continuing
5-5 education that meet the needs of license holders; ~~and~~

5-6 (2) require a license holder to successfully complete
5-7 continuing education courses; and

5-8 (3) for a license valid for two years, provide a one
5-9 year or two year period for the completion of continuing education.

5-10 (c) The board may require a license holder who does not
5-11 complete the required number of hours of continuing education in a
5-12 period [year] to make up the missed hours in a later period [years].
5-13 Hours required to be made up in a later period [year] are in
5-14 addition to the hours normally required to be completed in that
5-15 period [year].

5-16 SECTION 15. Subchapter G, Chapter 801, Occupations Code, is
5-17 amended by adding Section 801.309 to read as follows:

5-18 Sec. 801.309. CRIMINAL HISTORY RECORD INFORMATION
5-19 REQUIREMENT FOR LICENSE RENEWAL. (a) An applicant renewing a
5-20 license issued under this chapter shall submit a complete and
5-21 legible set of fingerprints for purposes of performing a criminal
5-22 history record information check of the applicant as provided by
5-23 Section 801.267.

5-24 (b) The board may administratively suspend or refuse to
5-25 renew the license of a person who does not comply with the
5-26 requirement of Subsection (a).

5-27 (c) A license holder is not required to submit fingerprints
5-28 under this section for the renewal of the license if the license
5-29 holder has previously submitted fingerprints under:

5-30 (1) Section 801.267 for the initial issuance of the
5-31 license; or

5-32 (2) this section as part of a prior license renewal.

5-33 SECTION 16. The heading to Section 801.407, Occupations
5-34 Code, is amended to read as follows:

5-35 Sec. 801.407. RIGHT TO HEARING[; SCHEDULE OF SANCTIONS].

5-36 SECTION 17. Section 801.407(c), Occupations Code, is
5-37 amended to read as follows:

5-38 (c) The State Office of Administrative Hearings shall use
5-39 the schedule of sanctions under Section 801.411 [adopted by board
5-40 rule] for any sanction imposed as the result of a hearing conducted
5-41 by that office.

5-42 SECTION 18. Subchapter I, Chapter 801, Occupations Code, is
5-43 amended by adding Section 801.411 to read as follows:

5-44 Sec. 801.411. SCHEDULE OF SANCTIONS. (a) The board by
5-45 rule shall adopt a schedule of penalties, disciplinary actions, and
5-46 other sanctions that the board may impose under this chapter.

5-47 (b) In adopting the schedule of sanctions under Subsection
5-48 (a), the board shall ensure that the severity of the sanction
5-49 imposed is appropriate to the type of violation or conduct that is
5-50 the basis for disciplinary action. The schedule must provide that
5-51 the type of disciplinary action or other sanction and the amount of
5-52 a penalty imposed under this chapter must be based on:

5-53 (1) the seriousness of the violation, including:

5-54 (A) the nature, circumstances, extent, and
5-55 gravity of any prohibited act; and

5-56 (B) the hazard or potential hazard created to the
5-57 health, safety, or economic welfare of the public;

5-58 (2) the economic harm to property or the environment
5-59 caused by the violation;

5-60 (3) the history of previous violations;

5-61 (4) the amount of penalty or type of disciplinary
5-62 action or sanction necessary to deter a future violation;

5-63 (5) efforts to correct the violation; and

5-64 (6) any other matter that justice may require.

5-65 SECTION 19. Sections 801.452(b) and (c), Occupations Code,
5-66 are amended to read as follows:

5-67 (b) The amount of the penalty shall be based on the schedule
5-68 of sanctions adopted under Section 801.411[+]

5-69 ~~(1) the seriousness of the violation, including:~~

- 6-1 ~~[(A) the nature, circumstances, extent, and~~
- 6-2 ~~gravity of any prohibited act; and~~
- 6-3 ~~[(B) the hazard or potential hazard created to~~
- 6-4 ~~the health, safety, or economic welfare of the public;~~
- 6-5 ~~[(2) the economic harm to property or the environment~~
- 6-6 ~~caused by the violation;~~
- 6-7 ~~[(3) the history of previous violations;~~
- 6-8 ~~[(4) the amount necessary to deter a future violation;~~
- 6-9 ~~[(5) efforts to correct the violation; and~~
- 6-10 ~~[(6) any other matter that justice may require].~~

6-11 (c) A committee described by Section 801.408(c) or (d) shall
 6-12 recommend the amount of the administrative penalty based on the
 6-13 schedule of sanctions adopted under Section 801.411 [~~a standardized~~
 6-14 ~~penalty schedule. The board by rule shall develop the standardized~~
 6-15 ~~penalty schedule based on the criteria listed in Subsection (b)].~~

6-16 SECTION 20. Subchapter K, Chapter 801, Occupations Code, is
 6-17 amended by adding Section 801.5011 to read as follows:

6-18 Sec. 801.5011. MONITORING HARMFUL PRESCRIBING AND
 6-19 DISPENSING PATTERNS. (a) The board shall periodically check the
 6-20 prescribing and dispensing information submitted to the Texas State
 6-21 Board of Pharmacy as authorized by Section 481.076(a)(1), Health
 6-22 and Safety Code, to determine whether a veterinarian is engaging in
 6-23 potentially harmful prescribing or dispensing patterns or
 6-24 practices.

6-25 (b) The board, in coordination with the Texas State Board of
 6-26 Pharmacy, shall determine the conduct that constitutes a
 6-27 potentially harmful prescribing or dispensing pattern or practice
 6-28 for purposes of Subsection (a). In determining the conduct that
 6-29 constitutes a potentially harmful prescribing or dispensing
 6-30 pattern or practice, the board, at a minimum, shall consider:

6-31 (1) the number of times a veterinarian prescribes or
 6-32 dispenses:

- 6-33 (A) opioids;
- 6-34 (B) benzodiazepines;
- 6-35 (C) barbiturates; or
- 6-36 (D) carisoprodol; and

6-37 (2) for prescriptions and dispensations described by
 6-38 Subdivision (1), patterns of prescribing or dispensing
 6-39 combinations of those drugs and other dangerous combinations of
 6-40 drugs identified by the board.

6-41 (c) If the board suspects that a veterinarian may be
 6-42 engaging in potentially harmful prescribing or dispensing patterns
 6-43 or practices, the board may notify the veterinarian of the
 6-44 potentially harmful prescribing or dispensing pattern or practice.

6-45 (d) The board may initiate a complaint against a
 6-46 veterinarian based on information obtained under this section.

6-47 SECTION 21. (a) For purposes of Section 801.003,
 6-48 Occupations Code, as amended by this Act, the Sunset Advisory
 6-49 Commission shall conduct a special-purpose review of the State
 6-50 Board of Veterinary Medical Examiners for the 87th Legislature.

6-51 (b) In conducting the special-purpose review under this
 6-52 section:

6-53 (1) the Sunset Advisory Commission staff evaluation
 6-54 and report must be limited to reviewing the effectiveness of
 6-55 recommendations made by the Sunset Advisory Commission to the 85th
 6-56 Legislature; and

6-57 (2) the Sunset Advisory Commission's recommendations
 6-58 to the 87th Legislature may include any recommendation the
 6-59 commission considers appropriate based on the special-purpose
 6-60 review.

6-61 SECTION 22. (a) The changes in law made by this Act to
 6-62 Section 801.051(a), Occupations Code, do not affect the entitlement
 6-63 of a member serving on the State Board of Veterinary Medical
 6-64 Examiners immediately before the effective date of this Act to
 6-65 continue to serve for the remainder of the member's term. As the
 6-66 terms of board members expire, the governor shall appoint or
 6-67 reappoint members who have the qualifications required for members
 6-68 under Section 801.051, Occupations Code, as amended by this Act.

6-69 (b) In making appointments under Section 801.051(a),

7-1 Occupations Code, as amended by this Act, the governor may not
 7-2 appoint a veterinarian member who is not described by Section
 7-3 801.051(a)(1)(A) or (B) unless one member described by Section
 7-4 801.051(a)(1)(A), one member described by Section
 7-5 801.051(a)(1)(B), and one member described by Section
 7-6 801.051(a)(2) have been appointed to or are serving on the State
 7-7 Board of Veterinary Medical Examiners. This subsection does not
 7-8 apply after the first date on which one member described by Section
 7-9 801.051(a)(1)(A), one member described by Section
 7-10 801.051(a)(1)(B), and one member described by Section
 7-11 801.051(a)(2) are serving on the board.

7-12 SECTION 23. (a) Except as provided by Subsection (b) of
 7-13 this section, Section 801.057, Occupations Code, as amended by this
 7-14 Act, applies to a member of the State Board of Veterinary Medical
 7-15 Examiners appointed before, on, or after the effective date of this
 7-16 Act.

7-17 (b) A member of the State Board of Veterinary Medical
 7-18 Examiners who, before the effective date of this Act, completed the
 7-19 training program required by Section 801.057, Occupations Code, as
 7-20 that law existed before the effective date of this Act, is only
 7-21 required to complete additional training on the subjects added by
 7-22 this Act to the training program required by Section 801.057,
 7-23 Occupations Code. A board member described by this subsection may
 7-24 not vote, deliberate, or be counted as a member in attendance at a
 7-25 meeting of the board held on or after December 1, 2017, until the
 7-26 member completes the additional training.

7-27 SECTION 24. (a) The following changes in law apply only to
 7-28 a complaint filed with the State Board of Veterinary Medical
 7-29 Examiners on or after the effective date of this Act:

7-30 (1) Section 801.205, Occupations Code, as amended by
 7-31 this Act;

7-32 (2) Section 801.2055, Occupations Code, as amended by
 7-33 this Act;

7-34 (3) Section 801.207(b), Occupations Code, as amended
 7-35 by this Act, and Sections 801.207(c), (d), and (e), Occupations
 7-36 Code, as added by this Act;

7-37 (4) Section 801.208, Occupations Code, as added by
 7-38 this Act; and

7-39 (5) Section 801.209, Occupations Code, as added by
 7-40 this Act.

7-41 (b) A complaint filed before the effective date of this Act
 7-42 is governed by the law in effect on the date the complaint was
 7-43 filed, and the former law is continued in effect for that purpose.

7-44 SECTION 25. Sections 801.267 and 801.309, Occupations Code,
 7-45 as added by this Act, apply only to an application for the issuance
 7-46 or renewal of a license submitted to the State Board of Veterinary
 7-47 Medical Examiners on or after the effective date of this Act. An
 7-48 application submitted before the effective date of this Act is
 7-49 governed by the law in effect on the date the application was
 7-50 submitted, and the former law is continued in effect for that
 7-51 purpose.

7-52 SECTION 26. Sections 801.407(c) and 801.452(b) and (c),
 7-53 Occupations Code, as amended by this Act, and Section 801.411,
 7-54 Occupations Code, as added by this Act, apply only to conduct that
 7-55 occurs on or after the date that rules under Section 801.411 become
 7-56 effective. Conduct that occurs before that date is governed by the
 7-57 law in effect immediately before the effective date of this Act, and
 7-58 the former law is continued in effect for that purpose.

7-59 SECTION 27. This Act takes effect September 1, 2017.

7-60

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