

1-1 By: Kolkhorst S.B. No. 1565
 1-2 (In the Senate - Filed March 8, 2017; March 21, 2017, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 April 18, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 18, 2017,
 1-6 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	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1565 By: Kolkhorst

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the procedure for ordering medical or dental services
 1-22 for certain persons admitted to or committed to care at certain
 1-23 state facilities.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 551.041, Health and Safety Code, is
 1-26 amended by amending Subsection (c) and adding Subsection (e) to
 1-27 read as follows:

1-28 (c) If a department requests consent to perform medical or
 1-29 dental treatment or services from a person or the guardian of the
 1-30 person whose consent is considered necessary and a reply is not
 1-31 obtained immediately, or if there is no guardian or responsible
 1-32 relative of the person to whom a request can be made, the
 1-33 superintendent or director of a department facility shall order:

1-34 (1) medical treatment or services for the person on
 1-35 the advice and consent of three primary care providers, at least two
 1-36 of whom are physicians licensed by the Texas Medical Board~~[, at~~
 1-37 ~~least one of whom is primarily engaged in the private practice of~~
 1-38 ~~medicine]; or~~

1-39 (2) dental treatment or services for the person on the
 1-40 advice and consent of two dentists ~~[a dentist]~~ licensed by the State
 1-41 Board of Dental Examiners and of one physician ~~[two physicians]~~
 1-42 licensed by the Texas Medical Board~~[, at least one of whom is~~
 1-43 ~~primarily engaged in the private practice of medicine].~~

1-44 (e) For purposes of this section, "primary care provider"
 1-45 means a health care professional who provides health care services
 1-46 to a defined population of residents. The term includes a physician
 1-47 licensed by the Texas Medical Board, an advanced practice
 1-48 registered nurse licensed by the Texas Board of Nursing, and a
 1-49 physician assistant licensed by the Texas Physician Assistant
 1-50 Board.

1-51 SECTION 2. The changes in law made by this Act apply only to
 1-52 a medical or dental procedure performed on or after the effective
 1-53 date of this Act. A medical or dental procedure performed before
 1-54 the effective date of this Act is governed by the law as it existed
 1-55 immediately before the effective date of this Act, and that law is
 1-56 continued in effect for that purpose.

1-57 SECTION 3. This Act takes effect September 1, 2017.

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