

1-1 By: Price, et al. (Senate Sponsor - Hughes, Miles) H.B. No. 2454  
1-2 (In the Senate - Received from the House May 2, 2019;  
1-3 May 3, 2019, read first time and referred to Committee on Health &  
1-4 Human Services; May 20, 2019, reported favorably by the following  
1-5 vote: Yeas 9, Nays 0; May 20, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
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 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to continuing education requirements for certain health  
1-20 professionals regarding pain management and the prescribing of  
1-21 opioids.

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

1-23 SECTION 1. Section 156.055, Occupations Code, is amended to  
1-24 read as follows:

1-25 Sec. 156.055. CONTINUING EDUCATION IN PAIN MANAGEMENT AND  
1-26 PRESCRIPTION OF OPIOIDS [TREATMENT]. (a) A physician licensed  
1-27 under this subtitle who submits an application for renewal of a  
1-28 license that designates a direct patient care practice must  
1-29 complete, in accordance with this section, not less than two hours  
1-30 of continuing medical education regarding safe and effective pain  
1-31 management related to the prescription of opioids and other  
1-32 controlled substances, including education regarding:

1-33 (1) reasonable standards of care;

1-34 (2) the identification of drug-seeking behavior in  
1-35 patients; and

1-36 (3) effectively communicating with patients regarding  
1-37 the prescription of an opioid or other controlled substance.

1-38 (b) A physician must complete the hours required by  
1-39 Subsection (a) in each of the first two renewal periods following  
1-40 the issuance of the physician's initial registration permit under  
1-41 this chapter, with two of those hours to be completed not later than  
1-42 the first anniversary of the date of issuance.

1-43 (c) After the period described by Subsection (b), a  
1-44 physician must complete not less than two hours of continuing  
1-45 medical education described by Subsection (a) every eight years.

1-46 (d) The hours required by this section may be completed in  
1-47 any continuing medical education activity approved by the board,  
1-48 including medical ethics or professional responsibility education,  
1-49 and may be counted toward [and whose practice includes treating  
1-50 patients for pain is encouraged to include continuing medical  
1-51 education in pain treatment among] the hours of continuing medical  
1-52 education completed to comply with Section 156.051(a)(2).

1-53 (e) The hours required by this section may not be used to  
1-54 satisfy any education required by board rule for certified pain  
1-55 clinic personnel.

1-56 (f) The board shall adopt rules to implement this section.

1-57 (g) Notwithstanding Subsections (b) and (c), a physician  
1-58 who on January 1, 2021, holds a license to practice medicine under  
1-59 this subtitle shall complete not less than two hours of continuing  
1-60 medical education described by Subsection (a) in each of the two  
1-61 renewal periods occurring after that date. This subsection expires

2-1 January 1, 2026.

2-2 SECTION 2. Section 157.0513(a), Occupations Code, is  
2-3 amended to read as follows:

2-4 (a) The board, the Texas Board of Nursing, and the Texas  
2-5 Physician Assistant Board shall jointly develop a process:

2-6 (1) to exchange information regarding the names,  
2-7 locations, and license numbers of each physician, advanced practice  
2-8 registered nurse, and physician assistant who has entered into a  
2-9 prescriptive authority agreement;

2-10 (2) by which each board shall immediately notify the  
2-11 other boards when a license holder of the board becomes the subject  
2-12 of an investigation involving the delegation and supervision of  
2-13 prescriptive authority, as well as the final disposition of any  
2-14 such investigation; ~~and~~

2-15 (3) by which each board shall maintain and share a list  
2-16 of the board's license holders who have been subject to a final  
2-17 adverse disciplinary action for an act involving the delegation and  
2-18 supervision of prescriptive authority; and

2-19 (4) to ensure that each advanced practice registered  
2-20 nurse or physician assistant who has entered into a prescriptive  
2-21 authority agreement authorizing the prescribing of opioids is  
2-22 required to complete not less than two hours of continuing  
2-23 education annually regarding safe and effective pain management  
2-24 related to the prescription of opioids and other controlled  
2-25 substances, including education regarding:

2-26 (A) reasonable standards of care;

2-27 (B) the identification of drug-seeking behavior  
2-28 in patients; and

2-29 (C) effectively communicating with patients  
2-30 regarding the prescription of an opioid or other controlled  
2-31 substance.

2-32 SECTION 3. Section 257.005, Occupations Code, is amended by  
2-33 adding Subsection (b-1) to read as follows:

2-34 (b-1) The board shall require a licensed dentist whose  
2-35 practice includes direct patient care to complete not less than two  
2-36 hours of board-approved continuing education annually regarding  
2-37 safe and effective pain management related to the prescription of  
2-38 opioids and other controlled substances, including education  
2-39 regarding:

2-40 (1) reasonable standards of care;

2-41 (2) the identification of drug-seeking behavior in  
2-42 patients; and

2-43 (3) effectively communicating with patients regarding  
2-44 the prescription of an opioid or other controlled substance.

2-45 SECTION 4. The change in law made by this Act applies only  
2-46 to an application for renewal of a registration permit or license  
2-47 submitted on or after January 1, 2021. A renewal application  
2-48 submitted before January 1, 2021, is governed by the law in effect  
2-49 immediately before the effective date of this Act, and the former  
2-50 law is continued in effect for that purpose.

2-51 SECTION 5. This Act takes effect September 1, 2019.

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