

1-1 By: Anderson, et al. (Senate Sponsor - Powell) H.B. No. 3442
 1-2 (In the Senate - Received from the House April 26, 2021;
 1-3 May 4, 2021, read first time and referred to Committee on Water,
 1-4 Agriculture & Rural Affairs; May 13, 2021, reported favorably by
 1-5 the following vote: Yeas 8, Nays 0; May 13, 2021, 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 complaints filed with the State Board of Veterinary
 1-20 Medical Examiners.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 801.207, Occupations Code, is amended by
 1-23 amending Subsections (b) and (c) and adding Subsections (b-1),
 1-24 (b-2), and (b-3) to read as follows:

1-25 (b) Except as provided by Subsections (b-1) and (b-2), each
 1-26 ~~[Each]~~ complaint, investigation file and record, and other
 1-27 investigation report and all other investigative information in the
 1-28 possession of or received or gathered by the board or the board's
 1-29 employees or agents relating to a license holder, an application
 1-30 for license, or a criminal investigation or proceeding is
 1-31 privileged and confidential and is not subject to discovery,
 1-32 subpoena, or other means of legal compulsion for release to anyone
 1-33 other than the board or the board's employees or agents involved in
 1-34 discipline of a license holder.

1-35 (b-1) The board shall provide a copy of each complaint to
 1-36 the license holder who is the subject of the complaint not later
 1-37 than the 14th day before the date any response is due, unless
 1-38 providing a copy of the complaint would jeopardize an
 1-39 investigation. The board may not require the license holder to
 1-40 request a copy of the complaint.

1-41 (b-2) The board shall provide to the complainant a copy of
 1-42 any response to the complaint the license holder provides not later
 1-43 than the 14th day after the date the board receives the response,
 1-44 unless providing the copy would jeopardize an investigation or the
 1-45 act alleged in the complaint is not under the board's jurisdiction.
 1-46 If the board provides a copy of a response to a complainant, the
 1-47 board shall include with the copy notice of the complainant's
 1-48 opportunity to rebut the license holder's response.

1-49 (b-3) The board is not required to provide a copy of the
 1-50 complaint under Subsection (b-1) or a license holder's response
 1-51 under Subsection (b-2) for a complaint initiated by the board.

1-52 (c) Except as provided by Subsection (b-1), the [The] board
 1-53 shall protect the identity of a complainant to the extent possible.

1-54 SECTION 2. Section 801.207, Occupations Code, as amended by
 1-55 this Act, applies only to a complaint filed with the State Board of
 1-56 Veterinary Medical Examiners on or after the effective date of this
 1-57 Act. A complaint filed with the board before the effective date of
 1-58 this Act is governed by the law in effect on the date the complaint
 1-59 was filed, and the former law is continued in effect for that
 1-60 purpose.

1-61 SECTION 3. This Act takes effect September 1, 2021.

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