

1-1 By: Price, et al. (Senate Sponsor - Kolthorst) H.B. No. 1771  
 1-2 (In the Senate - Received from the House April 17, 2023;  
 1-3 May 2, 2023, read first time and referred to Committee on Health &  
 1-4 Human Services; May 21, 2023, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
 1-6 May 21, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
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	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1771 By: Hancock

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

1-21 relating to rules regarding the provision by a health professional  
 1-22 of a telemedicine medical service, teledentistry dental service, or  
 1-23 telehealth service.

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

1-25 SECTION 1. Section 111.004, Occupations Code, is amended by  
 1-26 adding Subsections (c), (d), and (e) to read as follows:

1-27 (c) Each agency with regulatory authority over a health  
 1-28 professional providing a telemedicine medical service,  
 1-29 teledentistry dental service, or telehealth service shall adopt  
 1-30 rules necessary to standardize formats for and retention of records  
 1-31 related to a patient's consent to:

- 1-32 (1) treatment;
- 1-33 (2) data collection; and
- 1-34 (3) data sharing.

1-35 (d) Rules adopted under Subsection (c) must:

1-36 (1) as applicable, address the specific consent  
 1-37 documentation required for:

- 1-38 (A) telemedicine medical services;
- 1-39 (B) teledentistry dental services; or
- 1-40 (C) telehealth services; and

1-41 (2) include provisions, based on the appropriate  
 1-42 standard of care, for consent documentation in an audio-only  
 1-43 format.

1-44 (e) Rules adopted under this section must require that a  
 1-45 health professional conduct an in-person examination of a patient  
 1-46 before an irreversible medical procedure is initiated.

1-47 SECTION 2. This Act takes effect September 1, 2023.

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