

1-1 By: Blanco S.B. No. 2256
1-2 (In the Senate - Filed March 10, 2023; March 22, 2023, read
1-3 first time and referred to Committee on Health & Human Services;
1-4 April 24, 2023, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 24, 2023,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Kolkhorst	X			
1-10	Perry	X			
1-11	Blanco	X			
1-12	Hall	X			
1-13	Hancock	X			
1-14	Hughes	X			
1-15	LaMantia	X			
1-16	Miles	X			
1-17	Sparks	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2256 By: Perry

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

1-21 relating to the verification of health care practitioner continuing
1-22 education compliance through the establishment of continuing
1-23 education tracking systems.

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

1-25 SECTION 1. Section 112.002, Occupations Code, is
1-26 transferred to Subchapter B, Chapter 112, Occupations Code,
1-27 redesignated as Section 112.0501, Occupations Code, and amended to
1-28 read as follows:

1-29 Sec. 112.0501 [112.002]. APPLICABILITY. This subchapter
1-30 [chapter] applies only to licensing entities and health care
1-31 practitioners under Chapters 401, 453, and 454 and Subtitles B, C,
1-32 D, E, F, and K.

1-33 SECTION 2. Chapter 112, Occupations Code, is amended by
1-34 adding Subchapter C to read as follows:

1-35 SUBCHAPTER C. CONTINUING EDUCATION REQUIREMENTS

1-36 Sec. 112.101. DEFINITIONS. In this subchapter:

1-37 (1) "Continuing education course" means a course,
1-38 clinic, forum, lecture, program, or seminar that an individual must
1-39 complete in order to maintain or renew a license.

1-40 (2) "Continuing education provider" means a person
1-41 authorized or approved by a licensing entity to offer continuing
1-42 education courses.

1-43 (3) "Continuing education tracking system" means an
1-44 electronic system established by a licensing entity as required by
1-45 Section 112.104.

1-46 (4) "License" means a license, certificate,
1-47 registration, permit, or other form of authorization that:

1-48 (A) is issued by a licensing entity; and

1-49 (B) an individual must obtain to engage in a

1-50 particular business, occupation, or profession.
1-51 Sec. 112.102. APPLICABILITY. (a) Except as provided by
1-52 Subsection (b), this subchapter applies only to a licensing entity
1-53 that issues a license to a health care practitioner under this
1-54 title.

1-55 (b) This subchapter does not apply to Subtitle L.

1-56 Sec. 112.103. CONTINUING EDUCATION COMPLIANCE REQUIRED FOR
1-57 LICENSE RENEWAL. (a) Notwithstanding any other law, a licensing
1-58 entity may not renew a health care practitioner's license unless
1-59 the licensing entity verifies that the health care practitioner has
1-60 complied with any continuing education requirements of the

licensing entity.

(b) Verification of a health care practitioner's compliance with continuing education requirements that is generated by the continuing education tracking system:

(1) satisfies the requirement of Subsection (a); and
(2) must be used in the conduct of any audit of health care practitioners conducted by the licensing entity.

(c) This section does not prohibit a licensing entity from imposing penalties under applicable statutes or rules for a health care practitioner's failure to comply with continuing education requirements.

Sec. 112.104. CONTINUING EDUCATION TRACKING SYSTEM. (a) Each licensing entity by rule shall establish a continuing education tracking system for use by and accessible to health care practitioners, licensing entity staff, and continuing education providers.

(b) A continuing education tracking system established under this subchapter may not require any expenditure by the licensing entity.

Sec. 112.105. DATA AND SYSTEMS REQUIREMENTS. (a) A continuing education tracking system may collect and use only:

(1) information that directly relates to a health care practitioner's compliance with continuing education requirements, including:

(A) the name in which the health care practitioner's license is issued;

(B) the health care practitioner's license number;

(C) the license issue date;

(D) the license expiration date; and

(E) any other information disclosed to the public in response to a license verification request; and

(2) other information designated by licensing entity rule as necessary for the system's performance of a function required by this subchapter.

(b) A continuing education tracking system established under Section 112.104 must:

(1) if the continuing education tracking system is a cloud-based system, be certified under the state risk and authorization management program established under Section 2054.0593, Government Code; and

(2) comply with the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.).

Sec. 112.106. RULEMAKING. A licensing entity shall adopt rules necessary to implement this subchapter.

SECTION 3. Not later than September 1, 2024, each licensing entity shall establish a continuing education tracking system as required by Section 112.104, Occupations Code, as added by this Act.

SECTION 4. Notwithstanding Section 112.104(b), Occupations Code, as added by this Act, a licensing entity subject to that section that on the effective date of this Act has an agreement in place with a continuing education tracking system provider that is able to implement the requirements of Subchapter C, Chapter 112, Occupations Code, as added by this Act, may maintain that agreement and any costs associated with implementation of the agreement.

SECTION 5. This Act takes effect September 1, 2023.

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