

1-1 By: Orr, et al. (Senate Sponsor - Campbell) H.B. No. 3749
1-2 (In the Senate - Received from the House May 19, 2025;
1-3 May 19, 2025, read first time and referred to Committee on Health &
1-4 Human Services; May 23, 2025, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 23, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>X</u>			
1-9	<u>X</u>			
1-10	<u>X</u>			
1-11	<u>X</u>			
1-12	<u>X</u>			
1-13	<u>X</u>			
1-14	<u>X</u>			
1-15	<u>X</u>			
1-16	<u>X</u>			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the regulation of the provision of elective intravenous
1-20 therapy.

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

1-22 SECTION 1. This Act shall be known as Jenifer's Law.

1-23 SECTION 2. Subtitle B, Title 3, Occupations Code, is
1-24 amended by adding Chapter 172 to read as follows:

1-25 CHAPTER 172. PROVISION OF ELECTIVE INTRAVENOUS THERAPY

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 172.001. DEFINITIONS. In this chapter:

1-28 (1) "Advanced practice registered nurse" has the
1-29 meaning assigned by Section 301.152.

1-30 (2) "Elective intravenous therapy" means a procedure:

1-31 (A) to administer fluids, nutrients,
1-32 medications, or blood directly into a patient's bloodstream through
1-33 a vein;

1-34 (B) that is sought by the patient to alleviate
1-35 symptoms of temporary discomfort or improve temporary wellness; and

1-36 (C) that is not administered in:

1-37 (i) a physician's office;

1-38 (ii) a health facility licensed under
1-39 Subtitle B, Title 4, Health and Safety Code;

1-40 (iii) a mental hospital licensed under
1-41 Chapter 577, Health and Safety Code; or

1-42 (iv) a hospital maintained or operated by
1-43 this state.

1-44 (3) "Physician assistant" means a person who holds a
1-45 license issued under Chapter 204.

1-46 (4) "Registered nurse" means a person licensed by the
1-47 Texas Board of Nursing to practice professional nursing.

1-48 SUBCHAPTER B. ELECTIVE INTRAVENOUS THERAPY

1-49 Sec. 172.051. DELEGATION OF PRESCRIBING OR ORDERING
1-50 ELECTIVE INTRAVENOUS THERAPY. (a) A physician may delegate the act
1-51 of prescribing or ordering elective intravenous therapy to:

1-52 (1) a physician assistant acting under adequate
1-53 physician supervision; or

1-54 (2) an advanced practice registered nurse acting under
1-55 adequate physician supervision.

1-56 (b) A physician may delegate the act of administering
1-57 elective intravenous therapy to:

1-58 (1) a physician assistant acting under adequate
1-59 physician supervision;

1-60 (2) an advanced practice registered nurse acting under
1-61 adequate physician supervision; or

2-1 (3) a registered nurse acting under adequate physician
2-2 supervision.

2-3 (c) A physician's authority to delegate the act of
2-4 prescribing or ordering elective intravenous therapy is subject to
2-5 Subchapter B, Chapter 157.

2-6 (d) A prescriptive authority agreement relating to elective
2-7 intravenous therapy is included in the maximum number of
2-8 prescriptive authority agreements authorized under Section
2-9 157.0512(c). The exception provided in Section 157.0512(d) does
2-10 not apply to a prescriptive authority agreement relating to
2-11 elective intravenous therapy.

2-12 SECTION 3. The changes in law made by this Act apply to the
2-13 performance of a medical act on or after the effective date of this
2-14 Act under a physician's delegation, regardless of:

2-15 (1) the manner in which the delegation is made; and

2-16 (2) whether the delegation is made before, on, or
2-17 after the effective date of this Act.

2-18 SECTION 4. This Act takes effect September 1, 2025.

2-19 * * * * *