

1-1 By: Perry S.B. No. 2155
 1-2 (In the Senate - Filed March 10, 2025; March 24, 2025, read
 1-3 first time and referred to Committee on Water, Agriculture and
 1-4 Rural Affairs; March 31, 2025, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; March 31, 2025, 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 the regulation of veterinary professionals and
 1-20 facilities by the State Board of Veterinary Medical Examiners and
 1-21 the temporary administration of the board by the Department of
 1-22 Licensing and Regulation.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 801.002, Occupations Code, is amended to
 1-25 add Subsection (6-b) to read as follows:

1-26 (6-b) "Veterinary medical facility" means a location,
 1-27 including a building, portion of a building, or vehicle, in which
 1-28 the practice of veterinary medicine normally takes place or is
 1-29 provided.

1-30 SECTION 2. Sections 801.023(a) and (b), Occupations Code,
 1-31 are amended to read as follows:

1-32 (a) The executive director of the department shall direct
 1-33 and may dismiss the board's executive director [~~of the board~~], and
 1-34 has authority relating to personnel actions as if the board's
 1-35 executive director were an employee of the department. The
 1-36 presiding officer of the commission shall appoint a replacement
 1-37 executive director of the board if necessary.

1-38 (b) Subject to Subsection (a), the executive director of the
 1-39 board is responsible for the administration of licensing,
 1-40 enforcement, financial services, human resources, and workforce
 1-41 development duties of the board, including:

- 1-42 (1) accounts payable and accounts receivable;
- 1-43 (2) budgeting, inventory, and asset management;
- 1-44 (3) payroll;
- 1-45 (4) personnel and labor issues;
- 1-46 (5) purchasing;
- 1-47 (6) recruitment, evaluation, selection, training, and
- 1-48 promotion of personnel;
- 1-49 (7) submitting required reports regarding finances,
- 1-50 performance measures, strategic planning, legislative
- 1-51 appropriations requests, operating budgets, and similar
- 1-52 information as required by law;
- 1-53 (8) legal support services, including responding to
- 1-54 requests for public information; and
- 1-55 (9) information technology and support.

1-56 SECTION 3. Section 801.101, Occupations Code, is amended to
 1-57 read as follows:

1-58 Sec. 801.101. EXECUTIVE DIRECTOR. The board shall appoint
 1-59 [~~may employ~~] an executive director. The executive director serves
 1-60 at the will of the board.

1-61 SECTION 4. Section 801.102, Occupations Code, is amended to

2-1 read as follows:

2-2 Sec. 801.102. [~~CERTAIN DUTIES OF~~] EXECUTIVE DIRECTOR POWERS
 2-3 AND DUTIES. (a) The executive director shall ~~[is responsible for]~~:

2-4 (1) perform any duties assigned by the board and other
 2-5 duties specified by law;

2-6 (2) administer and enforce the board's programs; and

2-7 (3) issue licenses regulated by the board.

2-8 ~~[(1) safekeeping the money collected under this~~
 2-9 ~~chapter, and~~

2-10 ~~(2) properly disbursing the veterinary fund account~~
 2-11 ~~established by this chapter.]~~

2-12 (b) The executive director may:

2-13 (1) delegate any power or duty assigned to the
 2-14 executive director unless prohibited by law; and

2-15 (2) issue emergency orders and cease and desist orders
 2-16 as provided by this chapter.

2-17 ~~[(b) Repealed by Acts 2003, 78th Leg., ch. 285, Sec.~~
 2-18 ~~31(39).]~~

2-19 SECTION 5. Section 801.103, Occupations Code, is amended to
 2-20 read as follows:

2-21 Sec. 801.103. PERSONNEL. The board may employ personnel to
 2-22 administer this chapter and may prescribe their duties and
 2-23 compensation, subject to the personnel policies and budget approved
 2-24 by the board.

2-25 SECTION 6. Subchapter D, Chapter 801, Occupations Code, is
 2-26 amended by adding Section 801.150 to read as follows:

2-27 Sec. 801.150. GENERAL POWERS AND DUTIES OF BOARD. The board
 2-28 shall:

2-29 (1) supervise the executive director's administration
 2-30 of this chapter;

2-31 (2) formulate policy objectives for the board; and

2-32 (3) approve the board's operating budget and requests
 2-33 for legislative appropriations.

2-34 SECTION 7. Sections 801.151(a) and (b), Occupations Code,
 2-35 are amended to read as follows:

2-36 (a) The board shall ~~[may]~~ adopt rules as necessary to
 2-37 administer this chapter.

2-38 (b) The board shall ~~[may]~~ adopt rules of professional
 2-39 conduct appropriate to establish and maintain a high standard of
 2-40 integrity, skills, and practice in the veterinary medicine
 2-41 profession.

2-42 SECTION 8. Section 801.156, Occupations Code, is amended to
 2-43 read as follows:

2-44 Sec. 801.156. DATA; PUBLIC ACCESS [~~REGISTRY~~]. (a) The
 2-45 board shall maintain an electronic system allowing it to provide
 2-46 accurate reporting of information relating to license holders and
 2-47 applicants, complaints, enforcement actions, investigations, and
 2-48 inspections ~~[a record of each license holder's:~~

2-49 ~~[(1) name,~~

2-50 ~~[(2) residence address, and~~

2-51 ~~[(3) business address].~~

2-52 (b) The board shall provide on its public-facing website:

2-53 (1) a feature allowing users to verify a license
 2-54 holder's license status, determine whether the license holder is
 2-55 currently subject to disciplinary action, and review relevant
 2-56 disciplinary orders; and

2-57 (2) data, updated at least quarterly, summarizing the
 2-58 number, type, and disposition of complaints received during the
 2-59 fiscal year.

2-60 ~~[(b) A license holder shall notify the board of a change of~~
 2-61 ~~business address or employer not later than the 60th day after the~~
 2-62 ~~date the change takes effect.]~~

2-63 SECTION 9. Section 801.157, Occupations Code, is amended to
 2-64 add Subsection (c) to read as follows:

2-65 (c) The board shall provide information on its website
 2-66 directing licensed veterinarians to approved peer assistance
 2-67 programs.

2-68 SECTION 10. Sections 801.158(a) and (c), Occupations Code,
 2-69 are amended to read as follows:

3-1 (a) The board or executive director may request and, if
3-2 necessary, compel by subpoena:

3-3 (1) the attendance of witnesses for examination under
3-4 oath; and

3-5 (2) the production for inspection or copying of books,
3-6 accounts, records, papers, correspondence, documents, and other
3-7 evidence relevant to an investigation of an alleged violation of
3-8 this chapter.

3-9 (c) An action filed under this section must be filed in a
3-10 district court in Travis County or any other county in which the
3-11 department may hold a hearing. [Venue for an action brought under
3-12 Subsection (b) is in a district court in:

3-13 [~~(1) Travis County, or~~

3-14 [~~(2) any county in which the board may hold a hearing.]~~

3-15 SECTION 11. Section 801.161, Occupations Code, is amended
3-16 to read as follows:

3-17 Sec. 801.161. USE OF TECHNOLOGY. (a) The board shall
3-18 implement a policy requiring the board to use appropriate
3-19 technological solutions to improve the board's ability to perform
3-20 its functions. The policy must ensure that the public is able to
3-21 interact with the board on the Internet.

3-22 (b) The board may by rule require an applicant or license
3-23 holder to provide an e-mail address for purposes of receiving
3-24 correspondence. An e-mail address provided under this section is
3-25 confidential and is not subject to disclosure under Chapter 552,
3-26 Government Code.

3-27 (c) Notwithstanding any other law, the board may by rule
3-28 provide that service of any notice, order, or pleading required
3-29 under this chapter or under Chapter 2001, Government Code, may be
3-30 made electronically to the e-mail address provided pursuant to
3-31 Subsection (b).

3-32 SECTION 12. Section 801.163(d), Occupations Code, is
3-33 amended to read as follows:

3-34 (d) Notwithstanding any other law, [To the extent of any
3-35 conflict with] Chapter 2110, Government Code, does not apply to an
3-36 advisory committee appointed under this section [and board rules
3-37 adopted under this section control].

3-38 SECTION 13. Subchapter D, Chapter 801, Occupations Code, is
3-39 amended by adding Section 801.1631 to read as follows:

3-40 Sec. 801.1631. INSPECTIONS AND INVESTIGATIONS. (a) The
3-41 board may conduct inspections or investigations as necessary to
3-42 enforce the laws administered by the board.

3-43 (b) To perform its functions under Subsection (a), the board
3-44 may, during reasonable business hours:

3-45 (1) enter a veterinary medical facility or other
3-46 business premises of a person regulated by the board, or of a person
3-47 suspected of being in violation of, or threatening to violate, a law
3-48 administered by the board, or a rule or order of the board or
3-49 executive director; and

3-50 (2) examine and copy records pertinent to the
3-51 inspection or investigation.

3-52 (c) The board may take a disciplinary action authorized by
3-53 this chapter for a violation identified during an inspection.

3-54 SECTION 14. Section 801.164, Occupations Code, is amended
3-55 to read as follows:

3-56 Sec. 801.164. RISK-BASED INSPECTIONS [~~RELATED TO~~
3-57 ~~CONTROLLED SUBSTANCES PRACTICES~~]. (a) The board shall [~~may conduct~~
3-58 ~~a risk-based inspection~~] prioritize inspections relating to key
3-59 risk factors identified by the board, including previous violations
3-60 by the license holder or [of a veterinarian's practice based on]
3-61 information [obtained from the veterinarian or another source]
3-62 concerning a [the] veterinarian's use, handling, prescribing,
3-63 dispensing, or delivery of controlled substances.

3-64 (b) The board may use alternative inspection methods,
3-65 including videoconference or similar technology, instead of
3-66 conducting an in-person inspection in circumstances the board
3-67 considers appropriate.

3-68 SECTION 15. Subchapter D, Chapter 801, Occupations Code, is
3-69 amended by adding Section 801.165 to read as follows:

4-1 Sec. 801.165. REFUND. (a) Subject to Subsection (b), the
4-2 board or executive director may order a license holder to pay a
4-3 refund to a consumer as provided in an agreed settlement, default
4-4 order, or board order instead of or in addition to imposing an
4-5 administrative penalty or sanction.

4-6 (b) The amount of a refund ordered under this section may
4-7 not exceed the amount the consumer paid to the license holder for a
4-8 service regulated by the board, and may not require payment of other
4-9 damages or estimate harm.

4-10 SECTION 16. Subchapter D, Chapter 801, Occupations Code, is
4-11 amended by adding Section 801.166 to read as follows:

4-12 Sec. 801.166. RECIPROCITY AGREEMENTS. The board, with
4-13 approval of the governor, may enter into an agreement with another
4-14 state to allow for licensing by reciprocity.

4-15 SECTION 17. Section 801.205, Occupations Code, is amended
4-16 to read as follows:

4-17 Sec. 801.205. GENERAL RULES REGARDING COMPLAINT
4-18 INVESTIGATION AND DISPOSITION. The board shall adopt rules
4-19 relating to the investigation and disposition of complaints filed
4-20 with the board. The rules must:

- 4-21 (1) distinguish between categories of complaints;
- 4-22 (2) ensure that complaints are not dismissed without
4-23 appropriate consideration; and

4-24 (3) require that the board be advised of a complaint
4-25 that is dismissed. [+

4-26 ~~[(4) ensure that the person who filed the complaint~~
4-27 ~~has the opportunity to explain the allegations made in the~~
4-28 ~~complaint; and~~

4-29 ~~[(5) prescribe guidelines concerning the categories~~
4-30 ~~of complaints that require the use of a private investigator and the~~
4-31 ~~procedures for the board to obtain the services of a private~~
4-32 ~~investigator.]~~

4-33 SECTION 18. Section 801.2051, Occupations Code, is amended
4-34 to read as follows:

4-35 Sec. 801.2051. PRIORITY OF COMPLAINTS. The board shall
4-36 assign priorities and investigate complaints based on risk posed to
4-37 the public by the conduct alleged in the complaint. [The board shall
4-38 prioritize complaints to resolve the more serious complaints
4-39 first.]

4-40 SECTION 19. Section 801.2052, Occupations Code, is amended
4-41 to read as follows:

4-42 Sec. 801.2052. DISMISSAL OF BASELESS OR UNFOUNDED
4-43 COMPLAINT. (a) If the board determines at any time that an
4-44 allegation or complaint submitted by a person is baseless,
4-45 unfounded, or does not fall within the board's regulatory
4-46 jurisdiction, the board shall dismiss the complaint. [If, before
4-47 the 180th day after the date the board's official investigation of a
4-48 complaint is commenced, the board determines in accordance with
4-49 rules adopted under this section that a complaint filed with the
4-50 board is baseless or unfounded, the board shall:

- 4-51 ~~[(1) dismiss the complaint; and~~
- 4-52 ~~[(2) include a statement in the record of the~~
4-53 ~~complaint that the complaint was dismissed because the complaint~~
4-54 ~~was baseless or unfounded.]~~

4-55 (b) The board shall adopt rules to implement this section
4-56 and establish criteria for determining that a complaint is baseless
4-57 or unfounded.

4-58 SECTION 20. Section 801.2055, Occupations Code, is amended
4-59 to add Subsection (c-1) and to amend Subsection (d) as follows:

4-60 (c-1) The board may contract with a qualified individual to
4-61 assist in reviewing or investigating complaints requiring medical
4-62 expertise. Except for an act involving fraud, conspiracy, or
4-63 malice, an individual with whom the board contracts under this
4-64 subsection is immune from liability or from disciplinary action
4-65 under this chapter and may not be subject to a suit for damages for
4-66 any act arising from the performance of the individual's duties in:

- 4-67 (1) participating in an informal conference to
4-68 determine the facts of a complaint;
- 4-69 (2) offering an expert opinion or technical guidance

5-1 on an alleged violation of this chapter or of a rule or order issued
 5-2 by the board or executive director;

5-3 (3) testifying at a hearing regarding a complaint; or
 5-4 (4) making an evaluation, report, or recommendation
 5-5 regarding a complaint.

5-6 (d) A veterinarian board member who reviews a complaint
 5-7 under this section may not ~~participate in~~ deliberate or vote in
 5-8 any subsequent disciplinary proceeding related to the complaint.

5-9 SECTION 21. Section [801.2056](#), Occupations Code, is amended
 5-10 to read as follows:

5-11 Sec. 801.2056. COMPLAINTS NOT REQUIRING MEDICAL EXPERTISE.
 5-12 ~~[(a)]~~ The board shall adopt rules relating to the evaluation and
 5-13 disposition of complaints not requiring medical expertise. [The
 5-14 board may delegate to a committee of board staff the authority to
 5-15 dismiss or enter into an agreed settlement of a complaint that does
 5-16 not require medical expertise. The disposition determined by the
 5-17 committee must be approved by the board at a public meeting.

5-18 ~~[(b) A complaint delegated under this section shall be~~
 5-19 ~~referred for informal proceedings under Section [801.408](#) if:~~

5-20 ~~[(1) the committee determines that the complaint~~
 5-21 ~~should not be dismissed or settled;~~

5-22 ~~[(2) the committee is unable to reach an agreed~~
 5-23 ~~settlement; or~~

5-24 ~~[(3) the license holder who is the subject of the~~
 5-25 ~~complaint requests that the complaint be referred for informal~~
 5-26 ~~proceedings.]~~

5-27 SECTION 22. Section [801.207](#), Occupations Code, is amended
 5-28 to read as follows:

5-29 Sec. 801.207. CONFIDENTIALITY ~~[PUBLIC RECORD; EXCEPTION]~~.

5-30 (a) Except as otherwise provided by this section, a complaint and
 5-31 investigation concerning a person to whom this chapter applies, and
 5-32 all information and materials subpoenaed or compiled by the board
 5-33 in connection with the complaint and investigation, are
 5-34 confidential and not subject to:

5-35 (1) disclosure under Chapter [552](#), Government Code; or

5-36 (2) disclosure, discovery, subpoena, or other means of
 5-37 legal compulsion for their release to any person. [Except as
 5-38 provided by Subsection (b), a board record is a public record and is
 5-39 available for public inspection during normal business hours.]

5-40 (b) Notwithstanding Subsection (a), the board may disclose
 5-41 information regarding a complaint or investigation to:

5-42 (1) a person providing testimony or review on the
 5-43 board's behalf in a disciplinary proceeding;

5-44 (2) a respondent or the respondent's authorized
 5-45 representative;

5-46 (3) a professional licensing, credentialing, or
 5-47 disciplinary entity;

5-48 (4) a peer assistance program approved by the board
 5-49 pursuant to Section [801.157](#);

5-50 (5) a law enforcement agency; or

5-51 (6) a person engaged in bona fide research, if all
 5-52 individual-identifying information has been deleted. [Except as
 5-53 provided by Subsection (b-1), each complaint, investigation file
 5-54 and record, and other investigation report and all other
 5-55 investigative information in the possession of or received or
 5-56 gathered by the board or the board's employees or agents relating to
 5-57 a license holder, an application for license, or a criminal
 5-58 investigation or proceeding is privileged and confidential and is
 5-59 not subject to discovery, subpoena, or other means of legal
 5-60 compulsion for release to anyone other than the board or the board's
 5-61 employees or agents involved in discipline of a license holder.]

5-62 (b-1) Not later than the 14th day before the date of an
 5-63 informal proceeding under Section [801.408](#), the board shall provide
 5-64 to the license holder who is the subject of the complaint a copy of
 5-65 the record of any review conducted under Section [801.2055](#) of a
 5-66 complaint requiring medical expertise. The board shall redact the
 5-67 name of each veterinarian who conducted the review.

5-68 (c) Except as provided by Subsection (b-1), the board shall
 5-69 protect the identity of a complainant to the extent possible.

6-1 (d) Not later than the 30th day after the date of receipt of
 6-2 a written request from a license holder who is the subject of a
 6-3 formal complaint initiated and filed under this subchapter or from
 6-4 the license holder's counsel of record, and subject to any other
 6-5 privilege or restriction set forth by rule, statute, or legal
 6-6 precedent, and unless good cause is shown for delay, the board shall
 6-7 provide the license holder with access to all information in its
 6-8 possession that the board intends to offer into evidence in
 6-9 presenting its case in chief at the contested hearing on the
 6-10 complaint. The board is not required to provide:

6-11 (1) a board investigative report or memorandum;
 6-12 (2) the identity of a nontestifying complainant; or
 6-13 (3) attorney-client communications, attorney work
 6-14 product, or other materials covered by a privilege recognized by
 6-15 the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

6-16 (e) Furnishing information under Subsection (d) does not
 6-17 constitute a waiver of privilege or confidentiality under this
 6-18 chapter or other applicable law.

6-19 (f) The board may not be compelled to release or disclose
 6-20 complaint and investigation information or materials to a person
 6-21 listed in Subsection (b) if the board has not issued a notice of
 6-22 alleged violation related to the information or materials.

6-23 (g) Notices of alleged violation and disciplinary orders,
 6-24 including warnings and reprimands, issued by the board are not
 6-25 confidential and are subject to disclosure in accordance with
 6-26 Chapter 552, Government Code.

6-27 (h) Notwithstanding any other provision of this section, if
 6-28 an investigation would be jeopardized by the disclosure of
 6-29 information relating to a complaint or investigation, the board may
 6-30 temporarily withhold or otherwise refrain from disclosing to any
 6-31 person any information or materials that the board would otherwise
 6-32 be required to disclose.

6-33 SECTION 23. Section 801.208(d), Occupations Code, is
 6-34 amended to read as follows:

6-35 (d) The notification may not include information that is
 6-36 confidential under Section 801.207[(b)].

6-37 SECTION 24. Section 801.253, Occupations Code, as amended
 6-38 by Acts 2011, 82nd Leg., R.S., Ch. 940 (H.B. 414), Sec. 9, is
 6-39 reenacted and amended to read as follows:

6-40 (a) The board shall conduct licensing examinations for
 6-41 veterinarians as provided by board rule. ~~[The board shall conduct~~
 6-42 ~~the examination at a time and place the board determines is~~
 6-43 ~~convenient for applicants.]~~

6-44 (b) The board shall provide notice of a licensing
 6-45 examination on its internet website ~~[by publication in a newspaper~~
 6-46 ~~or periodical].~~

6-47 ~~[(c) The board shall examine each qualified applicant who~~
 6-48 ~~attends the examination].~~

6-49 SECTION 25. Section 801.406, Occupations Code, is amended
 6-50 to read as follows:

6-51 Sec. 801.406. REINSTATEMENT AFTER ~~[REQUIRED DISCIPLINARY~~
 6-52 ~~ACTION FOR]~~ CERTAIN FELONY CONVICTIONS. (a) If a person's license
 6-53 has been revoked:

6-54 (1) by operation of law pursuant to Section 53.021(b),
 6-55 Occupations Code, upon imprisonment after a conviction of a felony
 6-56 under Chapter 481 or 483 of the Health and Safety Code; or

6-57 (2) by the board upon conviction of a license holder of
 6-58 an offense under Section 485.033, Health and Safety Code, or of any
 6-59 offense under Chapter 481 or 483 of that code,

6-60 ~~[On conviction of a license holder of a felony under Section~~
 6-61 ~~485.033, Health and Safety Code, or Chapter 481 or 483 of that code,~~
 6-62 ~~the board shall, after conducting an administrative hearing in~~
 6-63 ~~which the fact of conviction is determined, impose a penalty as~~
 6-64 ~~provided by Section 801.401. The board shall set the amount of the~~
 6-65 ~~penalty to match the seriousness of the conviction.~~

6-66 ~~[(b) Repealed by Acts 2005, 79th Leg., Ch. 27, Sec. 27(2),~~
 6-67 ~~eff. September 1, 2005.~~

6-68 ~~[(c) The]~~ the board may reinstate or reissue the ~~[a]~~ license
 6-69 ~~[suspended or revoked under this section] only upon determining [on~~

7-1 ~~an express determination based on substantial evidence contained in~~
 7-2 ~~an investigative report indicating]~~ that reinstatement or
 7-3 reissuance of the license is in the best interests of [+
 7-4 [~~1~~] the public[+] and
 7-5 [~~2~~] the person whose license has been [~~suspended or~~
 7-6 revoked.

7-7 SECTION 26. Section 801.407(d), Occupations Code, is
 7-8 amended to read as follows:

7-9 (d) The board shall by rule prescribe notice procedures for
 7-10 proceedings under this subchapter [~~The board may conduct~~
 7-11 ~~deliberations relating to a disciplinary action during executive~~
 7-12 ~~session. At the conclusion of those deliberations, the board shall~~
 7-13 ~~vote and announce its decision to the license holder in open~~
 7-14 ~~session)].~~

7-15 SECTION 27. Section 801.408, Occupations Code, is amended
 7-16 to read as follows:

7-17 Sec. 801.408. INFORMAL PROCEEDINGS. (a) The board by rule
 7-18 shall adopt procedures governing:

7-19 (1) informal disposition of a contested case under
 7-20 Section 2001.056, Government Code; and

7-21 (2) an informal proceeding held in compliance with
 7-22 Section 2001.054, Government Code.

7-23 (b) Rules adopted under Subsection (a) must:

7-24 (1) provide the complainant and the license holder an
 7-25 opportunity to be heard; and

7-26 (2) require the presence of a member of the board's
 7-27 legal staff [~~general counsel~~] or a representative of the attorney
 7-28 general during an informal proceeding to advise the board or the
 7-29 board's employees.

7-30 (c) A committee of two or more veterinarian board members
 7-31 and one or more public board members must be present at an informal
 7-32 proceeding for a complaint that requires medical expertise. The
 7-33 committee shall recommend enforcement action at the informal
 7-34 proceeding.

7-35 [~~(d) A committee of board staff may recommend enforcement~~
 7-36 ~~action at an informal proceeding for a complaint that does not~~
 7-37 ~~require medical expertise or may refer the complaint to the~~
 7-38 ~~committee of board members under Subsection (c).~~

7-39 [~~(e) At an informal proceeding under this section, and on~~
 7-40 ~~agreement with the license holder, the board may order the license~~
 7-41 ~~holder to refund an amount not to exceed the amount a client paid to~~
 7-42 ~~the license holder instead of or in addition to imposing an~~
 7-43 ~~administrative penalty under this chapter. The board may not~~
 7-44 ~~require payment of other damages or estimate harm under this~~
 7-45 ~~subsection.]~~

7-46 (d) [~~(f)~~] Before an informal disposition is effective, the
 7-47 board must review and approve at a public meeting an informal
 7-48 disposition of the complaint recommended by board members or board
 7-49 staff.

7-50 SECTION 28. Subchapter I, Chapter 801, Occupations Code, is
 7-51 amended by adding Section 801.4011 to read as follows:

7-52 Sec. 801.4011. DEFERRED ACTION. (a) For any action or
 7-53 complaint for which the board proposes to impose on a person a
 7-54 sanction other than a reprimand or a denial, suspension, or
 7-55 revocation of a license, the board may:

7-56 (1) defer the final action the board has proposed if
 7-57 the person conforms to conditions imposed by the board, including
 7-58 any condition the board could impose as a condition of probation
 7-59 under Section 801.401; and

7-60 (2) if the person successfully meets the imposed
 7-61 conditions, dismiss the complaint.

7-62 (b) Except as provided by this subsection, a deferred action
 7-63 by the board is not confidential and is subject to disclosure in
 7-64 accordance with Chapter 552, Government Code. If the person
 7-65 successfully meets the conditions imposed by the board in deferring
 7-66 final action and the board dismisses the action or complaint, the
 7-67 deferred action of the board is confidential to the same extent as a
 7-68 complaint is confidential under Section 801.207.

7-69 SECTION 29. Subchapter J, Chapter 801, Occupations Code, is

8-1 amended by adding Section 801.4521 to read as follows:

8-2 Sec. 801.4521. IMPOSITION OF SANCTION. A proceeding under
 8-3 this subchapter imposing an administrative penalty may be combined
 8-4 with a proceeding to impose an administrative sanction. If a
 8-5 sanction is imposed in a proceeding under this subchapter, the
 8-6 requirements of this subchapter apply to the imposition of the
 8-7 sanction.

8-8 SECTION 30. Section 801.453(a), Occupations Code, is
 8-9 amended to read as follows:

8-10 (a) On a determination by a committee described by Section
 8-11 801.408(c) [~~or (d)~~] that a violation of this chapter or a rule
 8-12 adopted or order issued under this chapter occurred, the committee
 8-13 may issue a report to the board stating:

8-14 (1) the facts on which the determination is based; and
 8-15 (2) the committee's recommendation on the imposition
 8-16 of an administrative penalty, including a recommendation on the
 8-17 amount of the penalty.

8-18 SECTION 31. Section 801.454, Occupations Code, is amended
 8-19 to read as follows:

8-20 Sec. 801.454. PENALTY TO BE PAID OR HEARING REQUESTED [~~ON~~
 8-21 ~~COMMITTEE'S RECOMMENDATIONS~~]. (a) Not later than the 20th day
 8-22 after the date a person receives a notice of alleged
 8-23 violation, the person may in writing:

8-24 (1) accept the board's [~~committee's~~] determination and
 8-25 recommended administrative penalty; or

8-26 (2) request a hearing on the occurrence of the
 8-27 violation, the amount of the penalty, or both.

8-28 (b) If the person accepts the board's [~~committee's~~]
 8-29 determination and recommended penalty, the board by order shall
 8-30 approve the determination and require the person to pay the
 8-31 recommended penalty [~~may~~].

8-32 [~~(1) approve the determination and impose the~~
 8-33 ~~recommended penalty;~~

8-34 [~~(2) modify the determination or recommended penalty;~~

8-35 ~~or~~

8-36 [~~(3) reject the determination or recommended~~
 8-37 ~~penalty]~~.

8-38 SECTION 32. Section 801.455, Occupations Code, is amended
 8-39 to read as follows:

8-40 Sec. 801.455. HEARING [~~ON COMMITTEE'S RECOMMENDATIONS~~].

8-41 (a) If a respondent requests a hearing pursuant to Section 801.407,
 8-42 the hearing shall be conducted by the State Office of
 8-43 Administrative Hearings [~~If the person requests a hearing or fails~~
 8-44 ~~to respond timely to the notice, the executive director shall set a~~
 8-45 ~~hearing and give notice of the hearing to the person].~~

8-46 (b) The State Office of Administrative Hearings shall
 8-47 consider the board's applicable substantive rules and policies when
 8-48 conducting a hearing under this subchapter [~~A hearing set by the~~
 8-49 ~~executive director under Subsection (a) shall be held by an~~
 8-50 ~~administrative law judge of the State Office of Administrative~~
 8-51 ~~Hearings].~~

8-52 (c) The administrative law judge shall:

8-53 (1) make findings of fact and conclusions of law; and

8-54 (2) promptly issue to the board a proposal for a
 8-55 decision as to the occurrence of the violation, any recommended
 8-56 license sanction, and the amount of any proposed administrative
 8-57 penalty.

8-58 SECTION 33. Section 801.456(a), Occupations Code, is
 8-59 amended to read as follows:

8-60 (a) Based on the findings of fact, conclusions of law, and
 8-61 proposal for a decision under Section 801.455(c), the board by
 8-62 order may determine that:

8-63 (1) a violation has occurred and impose a license
 8-64 sanction, [~~an~~] administrative penalty, or both; or

8-65 (2) a violation did not occur.

8-66 SECTION 34. Section 801.457(a), Occupations Code, is
 8-67 amended to read as follows:

8-68 (a) Not later than the 30th day after the date the board's
 8-69 order becomes final, the person shall:

9-1 (1) pay the administrative penalty;
9-2 (2) pay the penalty and file a petition for judicial
9-3 review contesting the order [~~fact of the violation, the amount of~~
9-4 ~~the penalty, or both~~]; or

9-5 (3) without paying the penalty, file a petition for
9-6 judicial review contesting the order [~~fact of the violation, the~~
9-7 ~~amount of the penalty, or both~~].

9-8 SECTION 35. Section 801.502(b), Occupations Code, is
9-9 amended to read as follows:

9-10 (b) Venue for an action brought under this section is in a
9-11 district court in Travis County [~~Venue for an action under this~~
9-12 ~~section is in:~~

9-13 [~~(1) the county in which the person against whom the~~
9-14 ~~action is brought resides, if the person is an individual who~~
9-15 ~~resides in this state;~~

9-16 [~~(2) the county of the defendant's principal office in~~
9-17 ~~this state if the defendant is not an individual; or~~

9-18 [~~(3) Travis County, if the person:~~

9-19 [~~(A) is an individual who does not reside in this~~
9-20 ~~state; or~~

9-21 [~~(B) is an entity that does not have its~~
9-22 ~~principal office in this state].~~

9-23 SECTION 36. Section 801.508, Occupations Code, is amended
9-24 to read as follows:

9-25 Sec. 801.508. CEASE AND DESIST ORDER. The board or
9-26 executive director may issue a cease and desist order upon
9-27 determining that it is necessary to prevent a violation of this
9-28 chapter, or of a rule adopted or order issued by the board.

9-29 [~~(a) If it appears to the board that a person is engaging in~~
9-30 ~~an act or practice that constitutes the practice of veterinary~~
9-31 ~~medicine without a license or the practice of equine dentistry~~
9-32 ~~without a license under this chapter, the board, after notice and~~
9-33 ~~opportunity for a hearing, may issue a cease and desist order~~
9-34 ~~prohibiting the person from engaging in the activity.~~

9-35 [~~(b) A violation of an order under this section constitutes~~
9-36 ~~grounds for imposing an administrative penalty under Subchapter J.]~~

9-37 SECTION 37. Subchapter K, Chapter 801, Occupations Code, is
9-38 amended by adding Section 801.510 to read as follows:

9-39 Sec. 801.510. ISSUANCE OF EMERGENCY ORDERS. (a) Upon
9-40 determining that an emergency exists requiring immediate action to
9-41 protect the public health and safety, the board or executive
9-42 director may issue an emergency order to:

9-43 (1) suspend or revoke a license or other authorization
9-44 issued under a program regulated by the board; or

9-45 (2) halt operation of an unsafe veterinary medical
9-46 facility.

9-47 (b) The board or executive director may issue an emergency
9-48 order with or without notice and hearing. If an emergency order is
9-49 issued under this section without a hearing, the board shall set the
9-50 time and place for a hearing conducted by the State Office of
9-51 Administrative Hearings to affirm, modify, or set aside the
9-52 emergency order not later than the 17th day after the date the order
9-53 was issued. The order shall be affirmed to the extent that
9-54 reasonable cause existed to issue the order.

9-55 (c) A proceeding under this section is a contested case
9-56 under Chapter 2001, Government Code.

9-57 SECTION 38. Chapter 801, Occupations Code, is amended by
9-58 designating Sections 801.601 through 801.604 as Subchapter M and
9-59 adding a subchapter heading to read as follows:

9-60 SUBCHAPTER M. VETERINARY MEDICAL FACILITIES

9-61 Sec. 801.601. REGISTRATION OF VETERINARY MEDICAL
9-62 FACILITIES REQUIRED. (a) Veterinary medicine shall be practiced
9-63 only in or from a veterinary medical facility that is registered
9-64 with the board or that is exempted by rule from the registration
9-65 requirement. Unless exempted by this section or by board rule
9-66 adopted pursuant to this section, every individual facility must be
9-67 registered with the board.

9-68 (b) Subsection (a) does not apply to a facility maintained
9-69 or operated by the federal government.

10-1 (c) A mobile facility affiliated with a registered
10-2 veterinary medical facility is exempt from separate registration if
10-3 identified in the application for registration filed pursuant to
10-4 this subchapter.

10-5 (c) The board may by rule provide exemptions to the
10-6 registration requirement for facilities if it determines that
10-7 imposing or enforcing the requirement:

10-8 (1) is not cost-effective for the board;

10-9 (2) is not feasible with current resources or
10-10 standards; or

10-11 (3) will not substantially benefit or protect
10-12 consumers.

10-13 Sec. 801.602. REGISTRATION ELIGIBILITY AND APPLICATION.

10-14 (a) To register a veterinary medical facility, the business entity
10-15 providing services at the facility shall submit the application
10-16 provided by the board and pay the applicable fee established by the
10-17 board pursuant to Section 801.154. The application must be signed
10-18 by a person with authority to act on behalf of the entity.

10-19 (b) The facility shall, in its application for
10-20 registration:

10-21 (1) indicate the type of business entity that provides
10-22 services at the facility, and provide information regarding the
10-23 owners, partners, and operators of the entity as required by board
10-24 rule; and

10-25 (2) provide the names and license or registration
10-26 numbers of all persons who provide services at the facility and are
10-27 regulated by the board.

10-28 (c) An application under this section shall require the
10-29 facility to designate a medical director. The designated medical
10-30 director must:

10-31 (1) be licensed by the board as a veterinarian and
10-32 remain in good standing;

10-33 (2) regularly practice veterinary medicine at or from
10-34 the facility; and

10-35 (3) co-sign the application for registration; and

10-36 (4) agree to accept all correspondence from the board
10-37 on behalf of the facility.

10-38 (d) A veterinary medical facility whose designated medical
10-39 director ceases to be affiliated with the facility shall designate
10-40 a new medical director within 30 days of the change.

10-41 (e) The term of a registration issued under this section and
10-42 the process for renewal of a registration shall be provided by board
10-43 rule.

10-44 Sec. 801.603. STANDARDS FOR OPERATION OF VETERINARY MEDICAL
10-45 FACILITIES. The board shall adopt and enforce rules relating to
10-46 standards of operation of veterinary medical facilities. The rules
10-47 must include standards regarding:

10-48 (1) safety and sanitation;

10-49 (2) storage and security of pharmaceuticals and
10-50 controlled substances;

10-51 (3) patient care;

10-52 (4) retention of documentation, including medical
10-53 records, controlled substance logs, and employment records; and

10-54 (5) compliance with other state laws related to health
10-55 and safety.

10-56 Sec 801.604. SANCTIONS AND ADMINISTRATIVE PENALTIES. The
10-57 owner or owners of a business entity that provides services at a
10-58 veterinary medical facility shall be subject to administrative
10-59 penalties, license sanctions, or both, if:

10-60 (1) the facility does not hold a current registration;

10-61 (2) the facility violates a standard adopted pursuant
10-62 to Section 801.603;

10-63 (3) facility personnel deny access to the board or its
10-64 agents to conduct an inspection or investigation; or

10-65 (4) the facility fails to comply with a board order.

10-66 SECTION 39. The following provisions of Chapter 801,
10-67 Occupations Code, are repealed:

10-68 (1) Section 801.206;

10-69 (2) Section 801.253(a) as amended by Acts 2011, 82nd

11-1 Leg., R.S., Ch. 411 (S.B. 811), Sec. 3;
 11-2 (3) Section 801.307(a-1) as added by Acts 2019, 86th
 11-3 Leg., R.S., Ch. 449 (S.B. 1947), Sec. 2;
 11-4 (5) Section 801.459;
 11-5 (6) Section 801.461; and
 11-6 (7) Section 801.505.

11-7 SECTION 40. As soon as practicable after the effective date
 11-8 of this Act, the State Board of Veterinary Medical Examiners shall
 11-9 adopt the rules and procedures necessary to implement the
 11-10 provisions of this Act other than those contained in Subchapter M,
 11-11 Chapter 801, Occupations Code, as added by this Act.

11-12 SECTION 41. No later than March 1, 2027, the State Board of
 11-13 Veterinary Medical Examiners shall adopt the rules and procedures
 11-14 necessary to implement the provisions contained in Subchapter M,
 11-15 Chapter 801, Occupations Code, as added by this Act.

11-16 SECTION 42. A veterinary medical facility shall register
 11-17 with the board not later than September 1, 2027.

11-18 SECTION 43. (a) Except as provided by Subsection (b) of this
 11-19 section, this Act takes effect September 1, 2025.

11-20 (b) Subchapter M, Chapter 801, Occupations Code, as added by
 11-21 this Act, takes effect September 1, 2026.

11-22

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