

- SUBJECT:** Requiring CME in pain management and prescription of opioids
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 9 ayes — S. Thompson, Wray, Allison, Frank, Guerra, Ortega, Price, Sheffield, Zedler
- 0 nays
- 2 absent — Coleman, Lucio
- WITNESSES:** For — Cynthia Humphrey, Association of Substance Abuse Programs; (*Registered, but did not testify:* Bill Kelly and Jamaal Smith, City of Houston Mayor's Office; Alissa Sughrue, National Alliance on Mental Illness Texas; Leticia Van de Putte, Texas Academy of Physician Assistants; Nora Belcher, Texas E-Health Alliance; Michael Wright, Texas Pharmacy Business Council)
- Against — (*Registered, but did not testify:* Adam Cahn, Cahnman's Musings)
- On — (*Registered, but did not testify:* Carl Nunziato, Texas Orthopaedic Association; W. Boyd Bush, Texas State Board of Dental Examiners)
- BACKGROUND:** Under Occupations Code sec. 156.055, a licensed physician who submits an application for renewal of a license that designates a direct patient care practice and whose practice includes treating patients for pain is encouraged to include continuing medical education in pain treatment among the required hours approved by the Texas Medical Board (TMB).
- Sec. 157.0513(a) requires TMB, the Texas Board of Nursing, and the Texas Physician Assistant Board to jointly develop a process to exchange information on each board's licensed providers who have entered into prescriptive authority agreements.
- Sec. 257.005 requires the Texas State Board of Dental Examiners to

develop a mandatory continuing education program for licensed dentists and dental hygienists. The board by rule establishes the minimum number of continuing education hours a license holder must complete for each renewal period.

DIGEST:

CSHB 2454 would require certain licensed physicians, advanced practice registered nurses, physician assistants, and dentists to complete a minimum of two hours of continuing medical education (CME) regarding safe and effective pain management for the prescription of opioids and other controlled substances. The CME would have to include:

- reasonable standards of care;
- the identification of patient drug-seeking behavior; and
- effectively communicating with patients regarding opioid and other controlled substances prescriptions.

Physicians. Licensed physicians applying for a renewal would have to complete these CME hours in each of the first two renewal periods following the issuance of the physician's initial registration permit, with two of those hours to be completed within one year of license issuance. After this time, the bill would require physicians to complete a minimum of two hours of CME every eight years.

The bill would allow the required CME hours to be completed in any Texas Medical Board (TMB)-approved CME activity, including medical ethics or professional responsibility education, and could be counted toward the required board-approved hours. The bill would prohibit the CME hours from satisfying any education required by board rule for certified pain clinic personnel.

A physician who on January 1, 2021, held a license would have to complete a minimum of two hours of CME in pain management and controlled substance prescriptions in each of the two renewal periods occurring after that date. This provision would expire January 1, 2026.

Nurses and physician assistants. The bill would require TMB, the Texas

Board of Nursing, and the Texas Physician Assistant Board to jointly develop a process to ensure each advanced practice registered nurse or physician assistant who was authorized to prescribe opioids completed annually the minimum two hours of CME.

Dentists. Under the bill, the Texas State Board of Dental Examiners would have to require licensed dentists to complete a minimum of two hours of board-approved continuing education annually.

The bill would take effect September 1, 2019, and would apply to an application for renewal or license on or after January 1, 2021.

**SUPPORTERS
SAY:**

CSHB 2454 would address the growing rate of prescription drug abuse in Texas by requiring physicians to take continuing education courses on safe and effective pain management and the prescription of controlled substances. Educating physicians and other health providers would ensure ongoing discussions about the addiction risks these drugs could pose to patients receiving pain treatment.

**OPPONENTS
SAY:**

CSHB 2454 should establish an expiration date for physicians' continuing medical education requirements if prescription drug abuse in Texas declined due to increased prevention efforts.