SECTION 1. Section 261.109, Family Code, is amended to read as follows:

Sec. 261.109. FAILURE TO REPORT; PENALTY. (a) A person commits an offense if the person is required to make a report under Section 261.101(a) [has cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect] and knowingly fails to make a report as provided in this chapter.

(a-1) A person who is a professional as defined by Section 261.101(b) commits an offense if the person is required to make a report under Section 261.101(b) and knowingly fails to make a report as provided in this chapter.

(b) An offense under Subsection (a) [this subsection] is a Class A misdemeanor, except that the offense is a state jail felony if it is shown on the trial of the offense that the child was a person with an intellectual disability [mental retardation] who resided in a state supported living center, the ICF-MR component of the Rio Grande State Center, or a facility licensed under Chapter 252, Health and Safety Code, and the actor knew that the child had suffered serious bodily injury as a result of the abuse or neglect.

(c) An offense under Subsection (a-1) is a Class A misdemeanor, except that the offense is a state jail felony if it is shown on the trial of the offense that the actor intended to conceal the abuse or neglect.

SECTION 2. The changes in law made by this Act to Section 261.109, Family Code, apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2013.

Passed by the House on April 18, 2013: Yeas 142, Nays 0, 1 present, not voting; passed by the Senate on May 15, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 291

H.B. No. 1237

AN ACT

relating to the Eastland Memorial Hospital District.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 1023.004 and 1023.052, Special District Local Laws Code, are amended to read as follows:

Sec. 1023.004. DISTRICT TERRITORY. The district is composed of the territory described by Section 1.03, Chapter 221, Acts of the 71st Legislature, Regular Session, 1989, unless the boundaries of the district are expanded under Subchapter H or other applicable law.

Sec. 1023.052. NOTICE OF ELECTION. Notice [Not earlier than 30 days or later than 10 days before the date] of an election of directors [notice of the election] shall be published in accordance with Section 4.003, Election Code, [one-time] in a newspaper with general circulation in the district.

SECTION 2. Chapter 1023, Special District Local Laws Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. EXPANSION OF DISTRICT TERRITORY

Sec. 1023.401. EXPANSION OF DISTRICT TERRITORY. (a) The district may expand its territory in the manner provided by Section 286.101, Health and Safety Code, for the
expansion of the territory of a hospital district created under Chapter 286, Health and Safety Code.

(b) The board shall hold an election under this section on the first uniform election date that allows the board sufficient time to comply with applicable requirements of law.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on April 18, 2013: Yeas 143, Nays 0, 2 present, not voting; passed by the Senate on May 17, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 292
H.B. No. 1247
AN ACT
relating to the authority of the board of directors of the Nacogdoches County Hospital District to employ physicians.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The heading to Section 1069.060, Special District Local Laws Code, as effective April 1, 2013, is amended to read as follows:

Sec. 1069.060. [APPOINTMENT OF] STAFF AND EMPLOYEES.

SECTION 2. Section 1069.060, Special District Local Laws Code, as effective April 1, 2013, is amended by adding Subsection (b-i) and amending Subsection (c) to read as follows:

(b-i) The board may employ physicians, but only as provided by Section 1069.0605.

(c) Except as provided by Section 1069.0605, the [The] board may provide that the district administrator has the authority to employ district employees, including technicians and nurses.

SECTION 3. Subchapter B, Chapter 1069, Special District Local Laws Code, as effective April 1, 2013, is amended by adding Section 1069.0605 to read as follows:

Sec. 1069.0605. EMPLOYMENT OF PHYSICIANS. (a) The board may employ a physician and retain all or part of the professional income generated by the physician for medical services provided at a hospital or other health care facility owned or operated by the district if the board satisfies the requirements of this section.

(b) The board shall:

(1) appoint a chief medical officer for the district who has been recommended by the medical staff of the district; and

(2) adopt, maintain, and enforce policies to ensure that a physician employed by the district exercises the physician's independent medical judgment in providing care to patients.

(c) The policies adopted under this section must include:

(1) policies relating to:

(A) credentialing and privileges;

(B) quality assurance;

(C) utilization review;

(D) peer review and due process; and

(E) medical decision-making; and

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