

## **BILL ANALYSIS**

Senate Research Center  
77R326 MXM-D

H.B. 100  
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Health & Human Services  
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Engrossed

### **DIGEST AND PURPOSE**

The United States Congress and state legislatures have enacted many safeguards to protect consumers from unregulated health care activities. Both federal and state licensing agencies have developed rules to regulate professionals providing a service to consumers. With services to consumers now being provided via the Internet, there may be confusion as to the authority of state licensing authorities who regulate professionals on the Internet with the same authority as in a non-Internet situation. H.B. 100 clarifies that a state licensing authority has the same regulatory power over actions on the Internet as it has in a non-Internet setting.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 3A, Occupations Code, by adding Chapter 105, as follows:

#### **CHAPTER 105. GENERAL REGULATORY AUTHORITY REGARDING HEALTH CARE PRACTITIONERS' USE OF INTERNET**

Sec. 105.001. EFFECT OF INTERNET ACTIVITY. (a) Defines "licensing authority" and "Internet."

(b) Provides that the fact that an activity occurs through the use of the Internet does not affect a licensing authority's power to regulate an activity or person that would otherwise be regulated under this title.

SECTION 2. Effective date: upon passage or September 1, 2001.