

## **BILL ANALYSIS**

Senate Research Center  
78R3115 SMH-D

S.B. 208  
By: Harris  
Health and Human Services  
2/17/2003  
As Filed

### **DIGEST AND PURPOSE**

Currently, the Texas State Board of Medical Examiners (board) maintains a detailed profile of all physicians licensed by the board, which is available to the public on-line. The profiles include any formal complaint against the physician. As proposed, S.B. 208 would limit information on a physician's public profile to fully heard and final disciplinary actions taken by the board.

### **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 Sections 154.006(b) and (e), Occupations Code, as follows:

(b) Deletes from the list of required information to be included in the contents of physician profiles, a description of any conviction for a felony, a Class A or Class B misdemeanor, a Class C misdemeanor involving moral turpitude, a description of any charges reported to the Texas State Board of Medical Examiners (board) to which the physician has pleaded no contest, for which the physician is the subject of deferred adjudication or pretrial diversion, or in which sufficient facts of guilt were found and the matter was continued by a court, during the 10- year period preceding the date of the profile. Deletes requirement for a description of the final resolution taken by the board on medical malpractice claims or complaints required to be opened by the board and description of any formal complaint against the physician initiated and filed under Section 164.005 (Initiation of Charges; Formal Complaint) and the status of the complaint.

Adds to the list of required information a description of any final disciplinary action taken by the board against the physician, including any final disciplinary action on medical malpractice claims or complaints required to be reviewed by the board under Section 164.201 (Review by Board if Three or More Malpractice Claims) and any final public disciplinary action against the physician by a medical licensing board of another state during the 10-year period preceding the date of the profile. Makes conforming changes.

(e) Makes a conforming change.

SECTION 2. Effective date: September 1, 2003.