

BILL ANALYSIS

Senate Research Center
79R331 JMM-F

H.B. 102
By: Van Arsdale (Lindsay)
Health & Human Services
4/18/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Section 604.151, Occupations Code, provides that renewing a respiratory care practitioner certificate requires six to twelve hours of continuing education for each renewal period.

The 78th Legislature, Regular Session 2003, passed H.B. 2292, amending Section 12.0112 (term of license), to change the renewal term for a license for respiratory care practitioners from one year to two years. The change inadvertently created a situation where continuing education requirements must be met every two years, instead of annually, to maintain a license. H.B. 102 solves this conflict by clarifying that practitioners must complete their continuing education requirements each year to maintain their license.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

[While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

SECTION 1. Amends the heading for Section 604.151, Occupations Code, to read as follows:

Sec. 604.151. CERTIFICATE RENEWAL.

SECTION 2. Amends Section 604.151(a), Occupations Code, to require a certificate to practice respiratory care to be renewed biennially, rather than annually or biennially as determined by TDH. Deletes existing exception referring to other provisions of this subchapter.

SECTION 3. Amends Section 604.154(a), Occupations Code, to require TDH to establish for the renewal of a certificate uniform continuing education requirements of not less than six or more than 12 continuing education hours annually, rather than for each renewal period.

SECTION 4. Effective date: upon passage or the 91st day after adjournment.