Texas Medical Board

News Release
FOR IMMEDIATE RELEASE
Wednesday, February 20, 2008

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Medical Board Adopts Rules Changes, Including New Administrative Violation Rule
At its February 7-8 board meeting, the Texas Medical Board adopted the following rule changes that were published in the Texas Register:

Chapter 161, General Provisions
§161.7 Executive Director – Amendment

Chapter 166, Physician Registration
§166.4 Expired Registration Permits – Amendment

Chapter 167, Reinstatement and Reissuance
§167.1 Reinstatement and Reissuance of Medical License Following Suspension or Revocation - Amendment
§167.3 Application for Reissuance of a Revoked License - Amendment
§167.4, Best Interest of a Physician – Repeal and Revise
§167.5 Best Interest of the Public – Repeal and Revise
§167.8 Certain Persons Ineligible for Reinstatement or Reissuance of License - Amendment
Rule Review - §§167.1-167.8

Chapter 170, Pain Management

Rule Review - §§170.1-170.3

Chapter 175, Fees, Penalties, and Forms
§175.1, Application Fees – Amendment
Rule Review - §§175.1-175.5

Chapter 177, Certification of Non-Profit Organizations
§177.1 Definitions - Amendment
§177.3 Qualifications for Certification as a 162.001(b) Health Organization - Amendment
§177.4 Applications for Certification as a 162.001(b) Health Organization - Amendment
Chapter 187, Procedural Rules

§187.75 Purposes and Construction - New Rule
§187.76 Notice of Intention to Impose Administrative Penalty, Response - New Rule
§187.77 Payment of the Administrative Penalty - New Rule
§187.78 Written Response - New Rule
§187.79 Personal Appearance at an Informal Meeting - New Rule
§187.80 Imposition of Administrative Penalty - New Rule
§187.81 Reports of Imposition of Administrative Penalty - New Rule
§187.82 Unpaid Administrative Penalties - New Rule

Proposed Rules
The following proposed rule changes will be published in the Texas Register for comment.

Chapter 162, Supervision of Medical Schools, §162.1 Supervision of Medical Schools, Updates the names of the Texas Medical Board and provides limited circumstances for when a physician who is employed by the federal government but who is not licensed in Texas may supervise a medical student; provides clarity to the rule and specifies that a physician employed by the federal government who is not licensed in Texas may supervise medical students if the physician is within the scope of the federal project.

Chapter 164, Physician Advertising, §164.3 Misleading or Deceptive Advertising, Redefines “solicitation” by deleting reference to “door to door solicitation” and referring to Sec. 102.001(a), Tex. Occ. Code; clarifies interpretation of “solicitation.”

Chapter 173, Physician Profile, §173.3 Physician-Initiated Updates, Provides descriptive information for citations to statutes; Provides clarity regarding the statutes that are referred to in the rule. §173.7 Corrections and the Dispute Process, clarifies that dispute process applies to any update of a profile discussed in Chapter 173; provides clarity regarding updates that may be disputed by a physician.

Chapter 196, Voluntary Relinquishment or Surrender of A Medical License, §196.1. Relinquishment of License, Requires request to relinquish a license be submitted in writing and deletes requirement that full board review a request for relinquishment; simplifies procedures for relinquishment of a license.

Comments may be sent to Rules.Development@tmb.state.tx.us; or fax to: (512) 305-7051 Attention: Rules Development.