

Board Rule Changes - May 5, 2011

The following is a summary of the changes effective May 5, 2011. Click [here](#) for the complete board rules:

CHAPTER 164. PHYSICIAN ADVERTISING

22 TAC §§164.2, 164.4, 164.6

The Texas Medical Board (Board) adopts amendments to §164.2, concerning Definitions, §164.4, concerning Board Certification, and §164.6, concerning Required Disclosures on Websites.

The amendment to §164.2 adds definitions for applicants, application, board, and certifying board.

The amendment to §164.4 establishes the process for applicants to have certifying boards approved by the Medical Board for purposes of advertising.

The amendment to §164.6 provides that this section applies only to licensees who bill for services provided via the Internet.

<http://www.sos.state.tx.us/texreg/archive/April292011/adopted/22.EXAMINING%20BOARD%20RDS.html#197>

CHAPTER 166. PHYSICIAN REGISTRATION

22 TAC §166.7

The Texas Medical Board (Board) adopts new §166.7, concerning Report of Impairment on Registration Form.

The new section provides that if a licensee has an impairment that affects a licensee's ability to actively practice medicine, the licensee shall be given the opportunity to place the license on retired status, convert the license to an administrative medicine license, cancel the license, or be referred to the Texas Physician Health Program.

<http://www.sos.state.tx.us/texreg/archive/April292011/adopted/22.EXAMINING%20BOARD%20RDS.html#199>

CHAPTER 175. FEES AND PENALTIES

22 TAC §175.1, §175.2

The Texas Medical Board (Board) adopts amendments to §175.1, concerning Application Fees, and §175.2, concerning Registration and Renewal Fees.

The amendment to §175.1 establishes the fee for the application of a certifying board evaluation at \$200.

The amendment to §175.2 establishes the fee for the application for certifying board evaluation renewals at \$200.

<http://www.sos.state.tx.us/texreg/archive/April292011/adopted/22.EXAMINING%20BOARD%20RDS.html#201>

CHAPTER 185. PHYSICIAN ASSISTANTS

22 TAC §185.4, §185.6

The Texas Medical Board (Board) adopts amendments to §185.4, concerning Procedural Rules for Licensure Applicants, and §185.6, concerning Annual Renewal of License.

The amendment to §185.4 corrects the name for the Accreditation Review Commission on Education for the Physician Assistant, Inc. (ARC-PA) and corrects a rule citation.

The amendment to §185.6 provides that CME may be approved by the board for course credit.

<http://www.sos.state.tx.us/texreg/archive/April292011/adopted/22.EXAMINING%20BOARD%20RDS.html#203>

CHAPTER 187. PROCEDURAL RULES

SUBCHAPTER G. SUSPENSION BY OPERATION OF LAW

22 TAC §§187.70 - 187.72

The Texas Medical Board (Board) adopts amendments to §187.70, concerning Purposes and Construction, §187.71, concerning Hearing Before a Panel of Board Representatives, and §187.72, concerning Decision of the Panel.

The amendment to §187.70 provides that the Board may automatically suspend the license of a physician who has been found guilty of certain drug-related felonies by a trier of fact.

The amendment to §187.71 provides that the Board may conduct a hearing in order for the purpose of determining whether to automatically suspend the license of a physician who has been found guilty of certain drug-related felonies by a trier of fact.

The amendment to §187.72 provides that if a disciplinary panel of the board elects to automatically suspend the license of a physician that the order shall be considered

administratively final for purposes of appeal. In addition, if a panel recommends the automatic suspension of a license, the panel shall also either offer an order with terms on how the suspension may be probated or that the physician's license should be revoked.

<http://www.sos.state.tx.us/texreg/archive/April292011/adopted/22.EXAMINING%20BOARDS.html#205>

CHAPTER 196. VOLUNTARY RELINQUISHMENT OR SURRENDER OF A MEDICAL LICENSE

22 TAC §196.1, §196.3

The Texas Medical Board (Board) adopts an amendment to §196.1, concerning Relinquishment of License, and the repeal of §196.3, concerning Surrender Associated with Impairment.

The amendment to §196.1 provides that in addition to voluntary relinquishment, a licensee may request cancellation of a license.

The repeal of §196.3 repeals this section as licensees may no longer surrender their license due to an impairment through a confidential rehabilitation order.

<http://www.sos.state.tx.us/texreg/archive/April292011/adopted/22.EXAMINING%20BOARDS.html#208>