

2008 Board Rules Changes

The following is a summary of the changes effective on August 10, 2008.

Click [here](#) for the complete board rules.

Chapter 161, General Provisions, with amendments to §161.6, Committees of the Board, updates the duties of the Licensure Committee; §161.8, Deputy Executive Director, to update the name of Deputy Executive Director to Chief of Staff.

Chapter 163, Licensure, with amendments to §163.4, Procedural Rules for Licensure Applicants, to specify instances under statute and Board rule when the Executive Director may determine applicants ineligible for licensure and not have staff process an applicant's entire application before review by the Licensure committee; §163.5, Licensure Documentation, clarifies when an applicant must submit documentation regarding inpatient treatment, and modifies language regarding alcohol/substance disorder and physical illness that did or could have impaired an applicant's ability to practice medicine; §163.6, Examinations Accepted for Licensure, provides an exception to the three-attempt limit to conform to statutory requirements adopted by the Legislature in 2007; §163.10, Relicensure, updates requirements to conform to previous rule changes to require that Jurisprudence Examination be taken only once; §163.11, Active Practice of Medicine, deletes "passage of SPEX examination" as a stated remedy for applicants who cannot demonstrate that they have been in the active practice of medicine.

Chapter 166, Registration, with amendments to §166.1, Physician Registration, updates rule to conform with biennial registration; §166.2, Continuing Medical Education, updates rule to conform with biennial registration and amends provisions related to administrative penalties to be consistent with provisions under Chapter 190 related to disciplinary guidelines; §166.5, Relicensure, clean-up of language; §166.6, Exemption from Registration Fee for Retired Physician Providing Voluntary Charity Care, updates rule to conform with biennial registration.

Chapter 169, Authority of Physicians to Supply Drugs, with amendments to §169.2, Definitions, updates name of Texas Medical Board.

Chapter 171, Postgraduate Training Permits, with amendments to §171.3, Physician-in-Training Permits, updates the name of the Texas Medical Board, extends period for submitting an application from 90 days to 120 days from the expected start date of the training program, specifies instances under statute and Board rule when the Executive Director may determine applicants ineligible for licensure and not have staff process an applicant's entire application before review by the Licensure committee, modifies language regarding alcohol/substance disorder and physical illness that did or could have impaired an applicant's ability to practice medicine; §171.4, Board-Approved Fellowships, repeals expired provisions for fellowships approved before September 1, 2007; §171.5, Institutional Permits, repeals expired provisions related to Institutional Permits and replaces with new rule regarding the "Duties of PIT Holders to Report"; §171.6, Duties of Program Directors to Report, extends from 7 days to 30 days for program directors to report certain matters to the Board, requires reporting of all participants in the training programs, and deletes requirement for annual reports by program directors.

Chapter 172, Temporary and Limited Licenses, with amendments to §172.1, Purpose, adds citation of Medical Practice Act to clarify authority for the chapter; §172.2, Construction and Definitions, specifies instances under statute and Board rule when the Executive Director may determine applicants ineligible for licensure and not have staff process an applicant's entire application before review by the Licensure committee; §172.3 Distinguished Professor Temporary License, §172.6 Visiting Professor Temporary License, and §172.8 Faculty Temporary License, refer to medical schools that are accredited by the Liaison Committee on Medical Education or the American Osteopathic Association Bureau of Professional Education, instead of listing each medical school; and §172.13, Conceded Eminence, clarifies that medical school applying on behalf of the physician must be accredited by the Liaison Committee on Medical Education or the American Osteopathic Association Bureau of Professional Education.

Chapter 182, Use of Experts, with amendments to §182.8, Expert Physician Reviewers, amends the rule to provide that the reviewing doctor of a physician (Respondent) under investigation have the same current practice specialty versus the same specialty that the Respondent had initially trained to become (*withdrawn*).

Chapter 184, Surgical Assistants, with amendments to §184.1, Purpose, adds reference to Medical Practice Act and Surgical Assistants Act, authorizing rules; §184.2, Definitions, updates name of the Texas Medical Board; §184.4, Qualifications for Licensure, clarifies what is an acceptable registered nurse first assisting program and a surgical physician assistant program, deletes surgical assistant programs that are not CAAHEP accredited from being acceptable for purposes of licensure, and updates name of LCC-ST; §184.5, Procedural Rules for Licensure Applicants, deletes obsolete provision regarding an applicant who applied prior to September 1, 2002; §184.6, Licensure Documentation, updates reference to alcohol/substance disorders; §184.8, Licensure Renewal, clarifies the rule by setting forth requirements that an applicant must furnish supplemental explanations on renewal applications and prohibiting a Surgical Assistant from using the identification as a Licensed Surgical Assistant after a license is expired; §184.9, Relicensure, provides that a license shall be considered to be cancelled if expired more than one year, unless an investigation is pending; §184.18, Administrative Penalties, updates rule to refer to rules regarding imposition of an administrative penalty under chapter 187; §184.19, Complaint Procedure Notification, updates references to other Board rules; §184.20, Investigations, deletes misplaced reference to licensure procedure; and §184.26, Voluntary Relinquishment or Surrender of a License, corrects title of Chapter 196 of the Board Rules.

Chapter 193 Standing Delegation Orders, with amendments to §193.1, Purpose, updates name of Texas Medical Board; §193.2, Definitions, updates name of Texas Physician Assistant Board; §193.4, Scope of Standing Delegation Orders, clean-up language; §193.6, Delegation of the Carrying Out or Signing of Prescription Orders to Physician Assistants or Advance Practice Nurses, clarifies physician supervision at medically-underserved areas and alternate physician practice sites (*withdrawn*); §193.7, Delegated Drug Therapy Management, updates reference to the Texas Pharmacy Act; §193.8, Delegated Administration of Immunizations or Vaccinations by a Pharmacist Under Written Protocol, updates reference to the Texas Medical Practice Act; §193.9, Pronouncement of Death, updates reference to the Texas Medical Practice Act; §193.10, Collaborative Management of Glaucoma, updates reference to the Texas Optometry Act and the name of the Texas Medical Board; and §193.11, Use of Lasers, *repeals* this section.

