

2007 Board Rules Changes

The following is a summary of the changes effective on July 3, 2007.

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Chapter 163, Licensure, proposed amendments to 163.1, Definitions; 163.2, Full Texas Medical License, regarding recognition of Texas Higher Education Coordinating Board authority to determine a school to be Fraudulent or Substandard and to clarify that any foreign medical school must meet the Boards substantial equivalence requirements; 163.4, Procedural Rules for Licensure Applicants, regarding processing of applications determined to be ineligible to allow appeal to Licensure Committee on one issue, without spending staff time to process the rest of the application; 163.6, Examinations Accepted for Licensure, to delete subparagraph (e) (10-Year Rule) and make it a new 163.7; 163.6, Examinations Accepted for Licensure, adding a new 163.7(e)(4) eliminating requirements to retake the jurisprudence examination; adding a new 163.7, Ten Year Rule, to include the provision previously included in 163.6(e); adding a new 163.8, Authorization to Take Professional Licensing Examination, to set forth in rule the provisions for applicants to take an examination, invoking the exemption from Chapter 61, Subchapter G, Texas Education Code, as provided in 161.303, Texas Education Code; and adding a new 163.9, Only One License, to provide that any outstanding license or permit is canceled upon issuance of another license.

Chapter 164, Physician Advertising, proposed amendments to 164.4, Board Certification, to set forth requirements for advertising a medical specialty.

Chapter 166, Physician Registration, proposed amendments to 166.5, Relicensure Following Cancellation for Nonpayment of Registration Fee, to refer to provisions of Chapter 196 for cancellation upon non-payment, relinquishment, or surrender.

Chapter 172, Temporary and Limited Licenses, proposed amendments to 172.5, Visiting Physician Temporary Permit, to remove the requirement of a license in another state.

Chapter 173, Physician Profiles, to include amendments to 173.3, Physician Initiated Updates, requiring updates regarding address changes, conviction, or incarceration within 30 days.

Chapter 182, Use of Experts, proposed amendments to 182.5, Expert Panel, to add the American Board of Oral and Maxillofacial Surgery to subparagraph (2)(B) and to provide for removal from the Expert Panel if a panelist repeatedly provides unreliable reports.

Chapter 184, Surgical Assistants, proposed amendments to 184.4, Qualifications for Licensure, to delete outdated provisions; amendments to 184.8, License Renewal, to provide for cancellation upon expiration of a permit; and a new 184.26, Voluntary Relinquishment or Surrender of a License, to refer to Chapter 196, regarding Relinquishment or Surrender of a license.

Chapter 187, Procedural Rules, to add a new Subchapter G., Suspension by Operation of Law, to provide a procedure for mandatory suspension or revocation of license upon incarceration under 164.058 of the Medical Practice Act.

Chapter 190. Disciplinary Guidelines, to include amendments to 190.8, Violation Guidelines, providing on-call back-up by person who is not licensed or does not have training or experience, and prohibition against physician subject to an investigation from contacting a complainant or witness for purpose of intimidation.

Chapter 196, Voluntary Surrender of Medical License, to change the title of the chapter and include amendments to 196.1 and 196.4, to change the term for voluntary surrender that is not involved in disciplinary action or impairment to Relinquishment.

Chapter 198, Unlicensed Practice, proposed amendments to 198.1 - 198.7, to establish a procedure for cease and desist orders.