

Rule Changes Effective May 20, 2015

Click on the link below for access to the rule text in the Texas Administrative Code:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=3&ti=22&pt=9](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=22&pt=9)

CHAPTER 163. LICENSURE

§163.1, Definitions

The Amendments to §163.1, relating to Definitions, added new subsection 163.1(9)(D), relating to "one-year training program" and 163.1(13)(D), relating to "two-year training program" to include a domestic training program that subsequently received accreditation by the Accreditation Council for Graduate Medical Education, American Osteopathic Association or Royal College of Physicians, and was accepted by a specialty board that is a member of the American Board of Medical Specialties, the Bureau of Osteopathic Specialists, or the Royal College of Physicians for Board certification purposes. Additional amendments to Rule 163.1(13)(B), relating to "two-year training program" adds clarifying language that describes the board approved program under which a Faculty Temporary License was issued and cites to corresponding rules relating to Faculty Temporary Licenses. This amendment will provide applicants a mechanism to meet training requirements when such training was not accredited by the ACGME or AOA, at the time of such training, but was subsequently accredited by the ACGME or AOA, and was accepted by one of the accepted specialty boards for board certification purposes. An additional benefit will be to avoid confusion and to have rules that are clear and accurate.

§163.7, Ten Year Rule

The Amendment to §163.7, relating to Ten Year Rule, revise paragraph (1) to add the Royal College of Physicians and Surgeons of Canada to the list of specialty boards from which an applicant can present evidence of current competence and updates the list of requirements to clarify that proof of initial certification through passage of all exams or subsequent passage of a monitored written, specialty certification examination will meet the Ten Year Rule. This amendment will expand the potential pool of qualified applicants by adding the Royal College of Physicians and Surgeons of Canada, and to clarify the standards required of those applicants to satisfy the Ten Year Rule.

§163.11, Active Practice of Medicine

The Amendment to §163.11, relating to Active Practice of Medicine, revise subsection (c)(1)(A) to clarify that proof of initial certification through passage of all exams or subsequent passage of a monitored written, specialty certification examination will meet requirements for purposes of active practice. In addition, the Royal College of Physicians and Surgeons of Canada is added to the list of acceptable specialty boards. The amendment will align the Active Practice rule with other relevant rules in order to have consistency and parity among the rules.

CHAPTER 165. MEDICAL RECORDS

§165.1, Medical Records

The Amendments to §165.1, relating to Medical Records, adds language to subsection 165.1(a), contents of Medical Record, to provide that such requirements pertain to all medical records regardless of the medium in which they are made and maintained. Section 165.1(a)(7) is amended to correct a grammatical error by inserting the word "include." The rule is further amended to include new subsection 165.1(a)(8) which clarifies the requirement that a physician document any communication made or received by the physician regarding a patient, about which the physician makes a medical decision. The rule is further amended to include new subsection 165.1(a)(10) which further clarifies the requirement that electronic patient medical records contain only accurate pre-populated data, described as data that is based on actual findings from assessments, evaluations, examinations, or diagnostic results. The amendments to Rule 165.1(a) will result in: 1) having medical records that consistently contain required elements, regardless of method used to make such records; 2) helping ensure that a patient's medical record contains complete and accurate information relating to physician-patient communications; and 3) helping to ensure that electronic patient medical records contain accurate information and data.

CHAPTER 172. TEMPORARY AND LIMITED LICENSES

§172.8, Faculty Temporary Licenses

The Amendment to §172.8, relating to Faculty Temporary License, corrects a typographical error in Rule 172.8(a)(3) by changing the reference to the Medical Practice Act to the correct Section number. The rule is further amended in Rule 172.8(a)(4)(A) and (B) to correct a grammatical error relating to the incorrect use of an article preceding a noun. The amendment corrects an error thereby resulting in accurate and grammatically correct rules that contain correct citations to other laws.