



Serving the counties of District 2:

Kaufman, Navarro, Rockwall, Van Zandt and parts of Dallas, Ellis and Collin County

88th Legislative Session - Healthcare freedoms and patient protections update

Having recently wrapped up the 88th regular legislative session, it is time to recap what advancements were made in healthcare freedoms and patient protections.

Many bills were filed to address concerns in patient protection, licensure of physicians, and transparency in healthcare; issues that were brought to light by the COVID-19 pandemic.

Patient Protections

House Bill 1998, a bill I sponsored in the Senate that was authored by Rep. Julie Johnson, made improvements to the Texas Medical Board (TMB) by implementing continuous monitoring of licensed physicians through the National Practitioners Databank and requiring license suspension, and even revocation in certain cases, when a physician commits an act out-of-state that would be grounds for disciplinary action under Texas law. The bill will also prohibit out-of-state physicians from being licensed in Texas if they have committed an act out-of-state that is cause for license revocation in Texas.

These measures are meant to address the less-than-thorough review of applications from physicians coming to Texas from another state which has led to numerous doctors practicing in Texas when they have a record of harming patients in other states, and to also improve the ability of the TMB to act to safeguard patients from doctors that could cause them harm.

HB 1998 also expands which criminal offenses would allow for the temporary suspension or restriction of a medical license to include the offenses of criminal homicide, trafficking of persons, sexual or assaultive offenses if it is sexual or lewd in nature and committed against a patient of the license holder, a child, or an elderly or disabled person. The bill also closes a loophole by tightening the requirement for criminal history checks of license applicants.

These steps provide measurable progress in improving patient safety for Texans.

Health Care Transparency

To increase transparency, House Bill 49 will give people more access to hospital investigation and inspection results by requiring Health and Human Services to make publicly available on their website the name and location of each hospital with an alleged violation, the date and final outcome of the investigation as well as any investigative reports.

Senate Bill 490 requires that before a health care provider requests payment for a service or medical supplies, they must first provide the patient with an itemized bill with the cost of each item.

Together, these bills will add transparency to patient care and enable individuals to make informed decisions about where they choose to receive care and know exactly what they are being charged for medical services and supplies.



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Health Care Freedom

House Bill 3162 addresses a controversial and contentious practice in Texas commonly referred to as the 10-day rule.

This rule states that when a hospital believes a patient will not benefit from continued treatment, they may discontinue life-sustaining treatment against the families wishes, even when an advanced directive is in place if the hospital provides a 10-day notice to the family.

This bill, while not perfect, makes significant improvements to this practice. During the 10-day notice period, the family is allowed to request a transfer of their loved-one to a different facility. However, currently there is no requirement that a hospital facilitate this request. This bill requires a hospital to perform a procedure necessary to transport a patient to a new facility at the family's request, extends the 10-day notice to a 25-day notice, giving the family more time to arrange for a transfer, makes changes to the ethics committee review, prohibits a patient's wishes regarding do-not-resuscitate orders from being overridden by medical decision-makers, and prohibits disabilities from being considered by the ethics committee when making decisions about ending life-saving treatment.

I was honored to co-sponsor this legislation and believe it will reform a process that has been too-long in the hospitals' favor. With the ever-increasing shift to profits over patient care, this change is needed to ensure that families' wishes regarding their loved-one's care is honored and that a patient's life is not ended prematurely.

While there will always be more work to do to improve patient protection, increase transparency in healthcare, and ensure Texans can access the highest quality healthcare, it is important to acknowledge the steps taken that bring us closer to these goals as we work to continue to make these additional improvements.