

# Texas Medical Board

## News Release

### FOR IMMEDIATE RELEASE

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## **Medical Board Adopts Rules Changes, Including New Administrative Violation Rule**

At its February 7-8 board meeting, the Texas Medical Board adopted the following rule changes that were published in the *Texas Register*:

### **Chapter 161, General Provisions**

§161.7 Executive Director – Amendment

### **Chapter 166, Physician Registration**

§166.4 Expired Registration Permits – Amendment

### **Chapter 167, Reinstatement and Reissuance**

§167.1 Reinstatement and Reissuance of Medical License Following Suspension or Revocation - Amendment

§167.3 Application for Reissuance of a Revoked License - Amendment

§167.4, Best Interest of a Physician – Repeal and Revise

§167.5 Best Interest of the Public – Repeal and Revise

§167.8 Certain Persons Ineligible for Reinstatement or Reissuance of License - Amendment

Rule Review - §§167.1-167.8

### **Chapter 170, Pain Management**

#### **Rule Review - §§170.1-170.3**

### **Chapter 175, Fees, Penalties, and Forms**

§175.1, Application Fees – Amendment

Rule Review - §§175.1-175.5

### **Chapter 177, Certification of Non-Profit Organizations**

§177.1 Definitions - Amendment

§177.3 Qualifications for Certification as a 162.001(b) Health Organization - Amendment

§177.4 Applications for Certification as a 162.001(b) Health Organization - Amendment

§177.6 Biennial Reports for 162.001(b) Health Organizations - Amendment  
§177.9 Migrant, Community or Homeless Health Centers - Amendment  
§177.13 Complaint Procedure Notification - Amendment  
Rule Review - §§177.1-177.13

## **Chapter 187, Procedural Rules**

§187.75 Purposes and Construction - New Rule  
§187.76 Notice of Intention to Impose Administrative Penalty, Response - New Rule  
§187.77 Payment of the Administrative Penalty - New Rule  
§187.78 Written Response - New Rule  
§187.79 Personal Appearance at an Informal Meeting - New Rule  
§187.80 Imposition of Administrative Penalty - New Rule  
§187.81 Reports of Imposition of Administrative Penalty - New Rule  
§187.82 Unpaid Administrative Penalties - New Rule

### **Proposed Rules**

The following proposed rule changes will be published in the *Texas Register* for comment.

**Chapter 162, Supervision of Medical Schools, §162.1 Supervision of Medical Schools,** Updates the names of the Texas Medical Board and provides limited circumstances for when a physician who is employed by the federal government but who is not licensed in Texas may supervise a medical student; provides clarity to the rule and specifies that a physician employed by the federal government who is not licensed in Texas may supervise medical students if the physician is within the scope of the federal project.

**Chapter 164, Physician Advertising, §164.3 Misleading or Deceptive Advertising,** Redefines “solicitation” by deleting reference to “door to door solicitation” and referring to Sec. 102.001(a), Tex. Occ. Code; clarifies interpretation of “solicitation.”

**Chapter 173, Physician Profile, §173.3 Physician-Initiated Updates,** Provides descriptive information for citations to statutes; Provides clarity regarding the statutes that are referred to in the rule. **§173.7 Corrections and the Dispute Process,** clarifies that dispute process applies to any update of a profile discussed in Chapter 173; provides clarity regarding updates that may be disputed by a physician.

**Chapter 196, Voluntary Relinquishment or Surrender of A Medical License, §196.1. Relinquishment of License.** Requires request to relinquish a license be submitted in writing and deletes requirement that full board review a request for relinquishment; simplifies procedures for relinquishment of a license.

Comments may be sent to [Rules.Development@tmb.state.tx.us](mailto:Rules.Development@tmb.state.tx.us); or fax to: (512) 305-7051  
Attention: Rules Development.

