

## **BILL ANALYSIS**

Senate Research Center  
85S10516 MCK-D

S.B. 20  
By: Taylor, Van  
Business & Commerce  
7/18/2017  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Sunset bills for the Texas Medical Board (TMB), Texas State Board of Examiners of Marriage and Family Therapists (BMFT), Texas State Board of Examiners of Professional Counselors, Texas State Board of Examiners of Psychologists (TSBEP), and the Texas State Board of Social Worker Examiners (TSBSWE) were not approved by the legislature during the 85th Regular Session. Absent legislative authorization, these five state agencies face elimination on September 1, 2017. In addition to these five agencies, 28 separate chapters of law governing the regulation of medicine, psychology, and marriage and family therapy also expire on September 1.

Combined, these five licensing agencies regulate nearly 200,000 Texas jobs. These jobs serve at the core of the state's health care industry, which represents approximately 12 percent of Texas' economy. Failure to authorize continuation of the state's regulation of key participants in the health care sector introduces harmful uncertainty within this market segment. Furthermore, allowing these five agencies and 28 chapters of code to expire eliminates meaningful public health and safety regulations established by prior legislatures.

S.B. 20 extends the Sunset provisions for TMB, BMFT, Texas State Board of Examiners of Professional Counselors, TSBEP, and TSBSWE from September 1, 2017, to September 1, 2019. This change ensures that these five agencies, and the 28 affected chapters of law, continue until the 86th Legislature meets in 2019.

As proposed, S.B. 20 amends current law relating to the continuation and sunset review of certain governmental entities subject to abolishment on September 1, 2017.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 151.004, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325 (Sunset Law), Government Code (Texas Sunset Act), the Texas Medical Board is abolished and this subtitle (Physicians) and certain chapters of this code expire September 1, 2019, rather than September 1, 2017.

SECTION 2. Amends Section 501.005, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code (Texas Sunset Act), the Texas State Board of Examiners of Psychologists is abolished and this chapter (Psychologists) expires September 1, 2019, rather than September 1, 2017.

SECTION 3. Amends Section 502.003, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code (Texas Sunset Act), the Texas State Board of Examiners of Marriage and Family Therapists is abolished and this chapter (Marriage and Family Therapists) expires September 1, 2019, rather than September 1, 2017.

SECTION 4. Amends Section 503.005, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code (Texas Sunset Act), the Texas State Board of Examiners of Professional Counselors is abolished September 1, 2019, rather than September 1, 2017.

SECTION 5. Amends Section 505.005, Occupations Code, to provide that, unless continued in existence as provided by Chapter 325, Government Code (Texas Sunset Act), the Texas State Board of Social Worker Examiners is abolished and Section 505.101 (Board; Membership) expires September 1, 2019, rather than September 1, 2017.

SECTION 6. Amends Chapter 325, Government Code, by adding Section 325.0128, as follows:

Sec. 325.0128. AGENCIES REVIEWED FOR 85TH LEGISLATURE. Requires the Texas Sunset Advisory Commission (Sunset), for a state agency that was reviewed by Sunset in preparation for the work of the 85th Legislature in Regular Session and the abolition date of which was extended to 2019, to limit its review of the agency in preparation for the work of the 86th Legislature in Regular Session to the appropriateness of recommendations made by Sunset to the 85th Legislature. Authorizes Sunset, in Sunset's report to the 86th Legislature, to include any recommendations it considers appropriate. Provides that this section expires September 1, 2019.

SECTION 7. Effective date: upon passage or the 91st day after the last day of the legislative session.