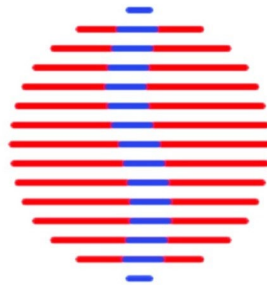


Texas Healthcare Policy

Baominh Vinh, MD
Cy-Pain & Spine



Disclosure

- None



89th Texas Legislative Session

- The Texas Legislature meets every other year for 140 days in an odd number year, starting the 2nd Tuesday in January.
- Only constitutional requirement is to pass the state's budget
- Texas has the 8th largest economy in the world!
- Two Chambers
- House of Representatives: 150 Members
- Senate: 31 Members
- Both Republican-led and Republican majorities



House Chamber Makeup

- Speaker is elected by his peers: Dustin Burrows (R-Lubbock).
- Three physicians serving:
 - **Greg Bonnen, MD**, (R-Friendswood), Neurosurgeon
 - Chair, Appropriations Committee
 - **Tom Oliverson, MD**, (R-Tomball), Anesthesiologist
 - Member, Appropriations Committee
 - Member, Appropriations Subcommittee on Article II
 - Also, a member of Environmental Regulations and Redistricting Committee
 - **Suleman Lalani, MD**, (D-Sugarland), Geriatrician
 - Vice Chair, Land and Resource Management Committee
 - Member, Higher Education Committee



Senate Chamber Makeup

- Led by Lt. Governor Dan Patrick (R).
- Two physicians serving:
 - **Charles Schwertner, MD**, (R-Georgetown), Orthopedic Surgeon
 - Chair, Business and Commerce Committee
 - Also, a member of the Economic Development, Finance, and State Affairs Committees
 - **Donna Campbell, MD**, (R-New Braunfels), Emergency Medicine
 - Chair, Nominations Committee
 - Vice Chair, Education K-16 Committee
 - Also, a member of the Business and Commerce and Finance Committee



89th Session Stats

- 8,719 Total House and Senate bills filled
 - 14% all bills passed into law



Texas bills affecting Physician-Led Care

- Defeated ALL 34 discrete “scope-of-practice” bills filed in 89th Texas Legislature
- One Physician-Led Care solution Failed to pass
 - SB 2695
 - Establish Rural Admission Medical Program (RAMP)
 - Financial and academic support for rural areas
 - Create rural APRN delegation programs
 - TMB would track number of delegation agreements, fees



Physician Autonomy

- Non-competes - Passed
 - SB 1318
 - One-year time limit
 - 5-mile radius from primary practice
 - Buyout cap no greater than annual salary
 - Agreement void if discharged without good cause



THC

- HB 46 THC Compassionate use program to include Chronic Pain
 - Previous Dx: epilepsy, seizure disorders, MS, spasticity, ALS, autism, cancer, PTSD, and incurable neurodegenerative diseases
 - Addn: **CHRONIC PAIN**, glaucoma, Crohn's/IBD, degenerative disc disease, spinal neuropathy, traumatic brain injury (TBI), terminal illnesses, and grants veterans access for any qualifying condition
- SB 3 - Passed then Vetoed by Governor Abbott
 - Ban all forms of consumable THC in Texas
 - Texas Compassionate Use Program is exempt
- SB 6 - special session
 - Ban consumable hemp products with any cannabinoid other than CBD/CBG
 - Passed Senate
 - Not advanced in House



AI

- HB 149
 - Established the Texas Responsible AI Governance Act
 - sets out provisions providing for consumer protections and enforcement mechanisms, a regulatory sandbox program for testing innovative AI systems, and the creation of the Artificial Intelligence Council to support innovation and oversee compliance.
- SB 815 – restricting the use of AI by utilization review
 - prohibits a utilization review agent from relying solely on an AI algorithm to deny, delay, or modify health services for medical necessity — mandates that a physician or licensed provider be involved



Medical insurance and PA

- HB 3812: Gold Carding 2.0: PA reform
 - Extends the evaluation period from 6 to 12 months
 - Codifies the minimum threshold of five services to qualify
 - Allows physicians to aggregate approvals across affiliated insurance plans



Med Spas: Elective IV therapy

- HB 3749, Jennifer's Law
 - Definition of "Elective IV Therapy"
 - Administering fluids, nutrients, medications, or blood via IV for temporary wellness or symptom relief, outside a physician's office, licensed health facility, mental hospital, or state hospital.
 - Delegation of Prescribing and Administration Prescribing/ordering IV therapy:
 - Physicians may delegate to PAs or APRNs under adequate physician supervision
 - Administering IV therapy: Restricted to PAs, APRNs, or RNs, again under adequate physician supervision. A physician cannot outsource decision-making to unlicensed staff or technicians.



Vaccine Bills

- 50 Total House and Senate bills
 - 5 passed
 - HB 1586
 - Makes it easier for parents and guardians to opt out of school required immunizations
 - HB 3441
 - Erodes the civil liability protections for pharmaceutical companies that sell immunizations in Texas.
 - This bill sits in a legal grey area as to whether federal law preempts HB 3441.
 - HB 4076
 - Prohibits health care practitioners from determining a person is ineligible for an organ transplant or other relevant services solely due to their vaccination status.
 - HB 4535
 - House Bill 4535 reworks and duplicates the informed consent process for the administration of the COVID-19 vaccine.
 - SB 269
 - States a physician shall report to the federal Vaccine Adverse Event Reporting System (VAERS) any serious adverse event the physician's patient suffers from an experimental or emergency use authorization vaccine.



National Issues

- WISeR Model
 - 6 States (Arizona, New Jersey, Ohio, Oklahoma, Texas, Washington)
 - January 1, 2026 through December 31, 2031
 - Traditional Medicare (Not Medicare Advantage)
 - AI to speed up PA
 - Pain Procedures: ESI, Percutaneous vertebral augmentation, PILD, Electrical nerve stimulators
 - Can we stop this?
- Peripheral nerve block not covered by many MACs, NOVITAS next



Get Involved

- Join Medical organization
 - Local (Harris County Medical Society)
 - TPS
 - TMA
 - ASIPP
 - ASRA
 - AAPM
 - ASA
 - NANS
 - AMA
- First Tuesday
 - TPS
 - TMA
- Communicate and develop relationship with your Texas representatives
- Log-on and send letters to the MAC meetings for peripheral nerve injections
- Encourage patients to contact their Texas representatives

