



Texas Department of State Health Services

Texas State Board of Examiners of Perfusionists

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Summary

The Legislature created the Texas State Board of Examiners of Perfusionists (the Board) in 1993 to ensure that the health-care professionals who operate cardiopulmonary bypass equipment during open-heart surgeries provide safe and quality services to the public. The Board oversees the profession by licensing qualified individuals to practice perfusion and enforcing the Perfusion Act by investigating and resolving complaints. The Perfusionist Board, through its administrative attachment to the Department of State Health Services (the Department), currently licenses about 300 perfusionists, with a staff of one employee and an annual budget of \$35,000.

The Legislature adopted all of the Sunset Commission's recommendations to replace the Governor-appointed Perfusionist Board with an advisory committee, and to improve the Department's licensing and enforcement processes. The list below summarizes the major provisions of Senate Bill 403, and a more detailed discussion follows.

Sunset Provisions

1. Replace the Independent, Governor-Appointed Perfusionist Board With an Advisory Committee.
2. Conform Key Elements of Perfusionist Licensing and Regulatory Functions to Commonly Applied Licensing Practices.
3. Continue Regulation of Perfusionists with an Advisory Committee at the Department of State Health Services for 12 Years.

Sunset Provisions

1. Replace the Independent, Governor-Appointed Perfusionist Board With an Advisory Committee.

Senate Bill 403 replaces the Governor-appointed Perfusionist Board with an advisory committee appointed by the Commissioner of State Health Services and repeals the Board's policymaking authority. The bill requires the advisory committee to advise the Executive Commissioner of the Health and Human Services Commission on perfusion rules, and the Department of State Health Services on the administration of the Perfusion Act.

2. Conform Key Elements of Perfusionist Licensing and Regulatory Functions to Commonly Applied Licensing Practices.

Senate Bill 403 includes several provisions that align the regulation of perfusion with standard licensing agency practices, including the following.

- Clarifies that the Executive Commissioner of the Health and Human Services Commission must address felony and misdemeanor convictions in the standard manner defined in the Occupations Code.
- Requires applicants to pass a jurisprudence exam as a condition of licensure.
- Removes exemptions from the Perfusionist Act for non-Texas residents to practice without temporary licensure.
- Requires the Department to base delinquent license renewal fees on the normally required renewal fee, and requires perfusionists whose licenses are delinquent more than one year to reapply for licensure.
- Authorizes the Department to refuse to renew a license as an administrative sanction.
- Requires the Executive Commissioner of the Health and Human Services Commission to adopt a penalty matrix with dollar amounts associated with violations.
- Authorizes the Department to provide for refunds by licensees to the consumer as part of the settlement conference process.
- Authorizes the issuance of cease-and-desist orders against unlicensed activity.
- Removes authority for committee members to receive payments for attendance at meetings.

3. Continue Regulation of Perfusionists with an Advisory Committee at the Department of State Health Services for 12 Years.

This provision continues the regulation of perfusionists for 12 years, but with an advisory committee at the Department of State Health Services instead of an independent State Board of Examiners of Perfusionists.

Fiscal Implication Summary

Senate Bill 403 will not have a significant fiscal impact to the State.

