



Bill Number: S.B. 1568

Barto Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Requires, by January 1, 2023, each health profession regulatory board to establish the eligibility criteria required to enter into a non-disciplinary confidential program through a published policy or rulemaking.**
- 2. States that the established program does not prohibit a health profession regulatory board from engaging another health profession regulatory board or private entity to implement a treatment program.**
- 3. Allows the health profession regulatory board to act on a complaint if the:
a) patient or complainant does not comply with the board's investigation; and
b) board has sufficient evidence of a violation of law.**
- 4. States that it is unprofessional conduct for any licensee, permittee or certificate holder to file a false or fraudulent complaint or report with a health profession regulatory board.**
- 5. Grants health profession regulatory boards an additional 100 days to investigate if an investigation cannot be completed within 180 days, rather than 120 days.**
- 6. Stipulates that, if a board administratively dismisses a complaint without prejudice, the complainant's timeline is suspended until the board has additional evidence to reopen and conclude the investigation.**
- 7. States that the timeline extension does not apply to health profession regulatory boards acting on a complaint or investigating unprofessional conduct.**
- 8. Prohibits a health profession regulatory board from reporting an administrative dismissal or non-disciplinary action to the National Practitioner Data Bank.**
- 9. Modifies written notice requirements.**

Amendment explanation prepared by Maelinn Chow

03/10/2022

BARTO FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1568
(Reference to printed bill)

1 Page 1, line 24, after the period insert "ON OR BEFORE JANUARY 1, 2023, EACH
2 HEALTH PROFESSION REGULATORY BOARD SHALL ESTABLISH THE ELIGIBILITY CRITERIA
3 REQUIRED TO ENTER INTO A NONDISCIPLINARY CONFIDENTIAL PROGRAM THROUGH A
4 PUBLISHED POLICY OR RULEMAKING. THIS SECTION DOES NOT PROHIBIT A HEALTH
5 PROFESSION REGULATORY BOARD FROM ENGAGING ANOTHER HEALTH PROFESSION
6 REGULATORY BOARD OR A PRIVATE ENTITY TO IMPLEMENT A TREATMENT PROGRAM
7 DESCRIBED IN THIS SECTION."

8 Page 2, line 2, after the period insert "THE HEALTH PROFESSION REGULATORY BOARD
9 MAY TAKE ACTION ON A COMPLAINT IF THE PATIENT OR COMPLAINANT DOES NOT
10 COMPLY WITH THE BOARD'S INVESTIGATION IF THE BOARD HAS SUFFICIENT EVIDENCE
11 OF A VIOLATION OF LAW. IT IS AN ACT OF UNPROFESSIONAL CONDUCT FOR ANY
12 LICENSEE, PERMITTEE OR CERTIFICATE HOLDER OF ANY HEALTH PROFESSION
13 REGULATORY BOARD TO FILE A FALSE OR FRAUDULENT COMPLAINT OR REPORT WITH A
14 HEALTH PROFESSION REGULATORY BOARD."

15 Line 10, strike "TWENTY" insert "EIGHTY"

16 Line 13, after "OR" insert "ADMINISTRATIVELY"

17 Line 14, after the period insert "IF A HEALTH PROFESSION REGULATORY BOARD
18 ADMINISTRATIVELY DISMISSES A COMPLAINT WITHOUT PREJUDICE, THE COMPLAINANT'S
19 TIMELINE IS SUSPENDED UNTIL THE BOARD HAS ADDITIONAL EVIDENCE, INFORMATION
20 OR TESTIMONY TO REOPEN THE INVESTIGATION AND CONCLUDE THE INVESTIGATION
21 WITH THE AVAILABLE OPTIONS PRESCRIBED FOR EACH HEALTH PROFESSION REGULATORY
22 BOARD. THIS SUBSECTION DOES NOT EXTEND THE TIME ALLOWED FOR ANY HEALTH
23 PROFESSION REGULATORY BOARD TO ACT ON A COMPLAINT OR INVESTIGATE
24 UNPROFESSIONAL CONDUCT. A HEALTH PROFESSION REGULATORY BOARD MAY NOT
25 REPORT AN ADMINISTRATIVE DISMISSAL OR NONDISCIPLINARY ACTION TO THE
26 NATIONAL PRACTITIONER DATA BANK."

1 Page 2, line 19, after the period insert "THE WRITTEN NOTICE SHALL ALSO INFORM
2 THE RESPONDENT THAT ANY STATEMENTS MADE DURING AN INTERVIEW MAY BE USED
3 AGAINST THE RESPONDENT BY THE HEALTH PROFESSION REGULATORY BOARD. A
4 LICENSEE, PERMITTEE OR CERTIFICATE HOLDER MAY WAIVE THIS NOTICE BY SIGNING
5 A WAIVER OF NOTICE."
6 Amend title to conform

NANCY BARTO

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03/07/2022
2:41 PM
C: MH