

OCCUPATIONS CODE

TITLE 3. HEALTH PROFESSIONS

SUBTITLE A. PROVISIONS APPLYING TO HEALTH PROFESSIONS GENERALLY

CHAPTER 104. HEALING ART PRACTITIONERS

Sec. 104.001. SHORT TITLE. This chapter may be cited as the Healing Art Identification Act.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 104.002. HEALING ART. The healing art includes any system, treatment, operation, diagnosis, prescription, or practice to ascertain, cure, relieve, adjust, or correct a human disease, injury, or unhealthy or abnormal physical or mental condition.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 104.003. REQUIRED IDENTIFICATION. (a) A person subject to this section who uses the person's name on a written or printed professional identification, including a sign, pamphlet, stationery, or letterhead, or who uses the person's signature as a professional identification shall designate as required by this section the healing art the person is licensed to practice.

(b) A person who is licensed by the Texas State Board of Medical Examiners and holds a doctor of medicine degree shall use:

- (1) physician or surgeon, M.D.;
- (2) doctor, M.D.; or
- (3) doctor of medicine, M.D.

(c) A person who is licensed by the Texas State Board of Medical Examiners and holds a doctor of osteopathy degree shall use:

- (1) physician or surgeon, D.O.;
- (2) osteopathic physician or surgeon;
- (3) doctor, D.O.;
- (4) doctor of osteopathy;
- (5) doctor of osteopathic medicine;
- (6) osteopath; or
- (7) D.O.

(d) A person who is licensed by the State Board of Dental

Examiners shall use:

- (1) dentist;
- (2) doctor, D.D.S.;
- (3) doctor of dental surgery;
- (4) D.D.S.; or
- (5) doctor of dental medicine, D.M.D.

(e) A person who is licensed by the Texas Board of Chiropractic Examiners shall use:

- (1) chiropractor;
- (2) doctor, D.C.;
- (3) doctor of chiropractic; or
- (4) D.C.

(f) A person who is licensed by the Texas Optometry Board shall use:

- (1) optometrist;
- (2) doctor, optometrist;
- (3) doctor of optometry; or
- (4) O.D.

(g) A person who is licensed by the Texas State Board of Podiatric Medical Examiners shall use:

- (1) chiropodist;
- (2) doctor, D.S.C.;
- (3) doctor of surgical chiropody;
- (4) D.S.C.;
- (5) podiatrist;
- (6) doctor, D.P.M.;
- (7) doctor of podiatric medicine; or
- (8) D.P.M.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 104.004. OTHER PERSONS USING TITLE "DOCTOR". In using the title "doctor" as a trade or professional asset or on any manner of professional identification, including a sign, pamphlet, stationery, or letterhead, or as a part of a signature, a person other than a person described by Section 104.003 shall designate the authority under which the title is used or the college or honorary degree that gives rise to the use of the title.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 104.005. ENFORCEMENT. (a) On the request of a healing art licensing board listed in Section 104.003, the district or county attorney shall file and prosecute appropriate judicial proceedings in the name of the state against a person who violates Section 104.003.

(b) The district or county attorney shall file the proceeding in the district court of the county in which the violation occurs.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 104.006. APPLICABILITY TO ESTABLISHED CHURCH. This chapter does not affect the use of the principles or teachings of an established church in ministering, without the use of any drug or material remedy, to the sick or suffering by prayer if:

(1) sanitary and quarantine laws are complied with;  
and

(2) the person ministering or offering to minister does not maintain an office, other than to exercise the principles or teachings of the church of which the person is a bona fide member.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 104.007. PENALTIES. (a) A person who violates this chapter commits an offense. An offense under this section is a misdemeanor punishable by:

(1) on conviction of a first offense, a fine of \$100;  
(2) on conviction of a second offense, a fine of \$500;  
and

(3) on conviction of a third offense:  
(A) a fine of \$1,000; or  
(B) revocation of the person's license to practice the healing art.

(b) On conviction of the person, the district court shall notify the licensing board that issued the license.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.