

CLIENT ALERT

Texas Bill Introduced to Regulate Medical Spas Now Focused on Elective IV Therapy

JUNE 3, 2025

Back in April, we wrote about [Texas House Bill 3749](#) (H.B. 3749 or the “Bill”), a bill that sought greater physician oversight of medical spas through the regulation of various cosmetic medical treatments and elective intravenous (IV) therapy following the IV-infusion-related death of Jenifer Cleveland. As introduced, the Bill would have required medical spas to operate under the direction of a trained physician, who would maintain responsibility over implementing policies promoting quality patient care, conducting initial assessments, and preparing written treatment plans.

Following months of deliberation and various public hearings in both the Texas House and Senate, a significantly watered-down version of H.B. 3749 was signed by both legislative chambers on May 28, 2025. The Bill no longer seeks to regulate medical spas or cosmetic medical treatments in broad strokes; it seeks solely to regulate elective IV therapy. The American Med Spa Association (AmSpa), a leading critic of H.B. 3749, praised the amended Bill as a “huge win for the [medical spa] industry.”^[1]

ELECTIVE IV THERAPY DEFINED

“Elective intravenous therapy” means a procedure to administer fluids, nutrients, medications, or blood directly into a patient’s bloodstream through a vein that is sought by the patient to alleviate symptoms of temporary discomfort or improve temporary wellness. The term does not include procedures that are administered in (i) a physician’s office; (ii) a health facility licensed under Texas Health and Safety Code Title 4, Subtitle B; (iii) a mental hospital licensed under Texas Health and Safety Code Chapter 577; or (iv) a hospital maintained or operated by the State of Texas.^[2]

THE “ADEQUATE PHYSICIAN SUPERVISION” STANDARD

H.B. 3749 allows a physician to delegate the act of prescribing or ordering elective IV therapy to either a physician assistant (PA) or an advanced practice registered nurse (APRN), but only if the PA or APRN acts under adequate physician supervision. Moreover, a physician may delegate the act of administering elective IV therapy to either a PA, APRN, or registered nurse (RN), again, so long as the administering provider acts under adequate physician supervision. The term “adequate physician supervision” is not defined.

KEY DATES

H.B. 3749 was sent to Governor Abbott for signature on May 30, 2025. If passed, the Bill will take effect on September 1, 2025.

[1] Madilyn Moeller, *Texas Med Spa Bill Is Scrapped, Re-written As an IV Therapy Bill; HB 3749 Passes Out of Committee* (May 5, 2025), <https://americanmedspa.org/blog/texas-med-spa-bill-is-scrapped-re-written-as-an-iv-therapy-bill-hb-3749-passes-out-of-committee>.

[2] H.B. 3749, 89th Leg., Reg. Sess. (Tex. 2024), § 172.001(2).
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Authors

[Eric J. Knickrehm](#)

[Banee Pachuca](#)

[Ryan Greenberg](#)

[Mary Johnson](#)

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