

BILL ANALYSIS

H.B. 548
By: Frank
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas has a shortage of physicians and nurses, especially in rural areas. Retaining veteran physicians and nurses who served on active duty in Texas and allowing them to continue to practice in underserved communities will increase access to care in those communities. Federal law exempts active duty medical personnel from state occupational licensing requirements. However, those exemptions lapse once a provider leaves active duty military service. Some veteran physicians and nurses who served in Texas would have liked to remain in Texas after their active service ended but often left due to the burdens of obtaining a Texas license. H.B. 548 seeks to address this issue by requiring the issuance of a license to practice medicine and a license to practice nursing in a health professional shortage area or a medically underserved community to certain U.S. armed forces veteran applicants.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 548 amends the Occupations Code to require the Texas Medical Board (TMB) to issue a license to practice medicine and a license to practice nursing in a health professional shortage area or a medically underserved community to an applicant who:

- is licensed in good standing as a physician or nurse, as applicable, in another state;
- is a U.S. armed forces veteran who retired from or otherwise left military service not more than one year before the application date for such a license; and
- was, at the time of retiring from or leaving military service, serving on active duty in Texas and authorized as a physician or nurse to treat persons enlisted in the U.S. armed forces or veterans.

The bill establishes that such an applicant is not required to have passed the applicable Texas jurisprudence examination and prohibits the TMB from issuing a license to an applicant who:

- holds a medical or nursing license or a license to prescribe, dispense, administer, supply, or sell a controlled substance that is currently under active investigation or is or was subject to a disciplinary order or action or to denial by another jurisdiction; or
- has been convicted of, is on deferred adjudication community supervision or deferred disposition for, or is under active investigation for the commission of a felony or a misdemeanor involving moral turpitude.

EFFECTIVE DATE

September 1, 2021.