

- SUBJECT:** Visa waivers for physicians practicing in medically underserved areas
- COMMITTEE:** Border and International Affairs — favorable, with amendment
- VOTE:** 4 ayes — Chavez, Griggs, Castro, Merritt
0 nays
2 absent — Canales, Riddle
- SENATE VOTE:** On final passage, March 27 — 31-0, on Local and Uncontested Calendar
- WITNESSES:** *(On House companion bill, HB 1130:)*
For — David Pearson, Texas Organization of Rural and Community Hospitals; *(Registered, but did not testify:)* Laura Uribarri, Greater El Paso Chamber of Commerce; Matt Wall, Texas Hospital Association

Against — None

On — Connie Berry, Texas Department of Health
- BACKGROUND:** The 77th Legislature in 2001 enacted HB 1018 by Hardcastle, amending the Occupations Code to expedite applications of medical licenses for out-of-state practitioners (physicians and osteopaths) moving to rural areas. The act also added Education Code, sec. 51.949, authorizing the Texas Department of Health (TDH) to request immigration visa waivers for up to 20 qualified alien physicians per year who agree to practice medicine or serve on a medical school faculty in Cameron, Hidalgo, Starr, and Willacy counties, which are considered medically underserved.
- DIGEST:** SB 558, as amended, would allow TDH to request a waiver of the foreign country residence requirement for a qualified alien physician who agreed to practice medicine in a medically underserved area or a health professional shortage area with a current shortage of physicians. TDH could charge a fee to cover the costs of administering the visa waiver program.

The bill would stipulate that the Board of Medical Examiners would have to adopt rules to expedite a license application for a physician licensed in another state or country who attested that he or she had requested and was eligible for an immigration visa waiver and intended to practice medicine in a medically underserved or health professional shortage area. The bill would eliminate provisions that require the board to expedite license applications for faculty members and other physicians affiliated with public teaching hospitals.

The bill would take effect September 1, 2003.

**SUPPORTERS
SAY:**

SB 558, as amended, would expand a state program to attract foreign physicians to medically underserved communities throughout Texas. The program now serves only four counties. This program, operated by TDH, was created last session to secure visa waivers for foreign physicians willing to teach or practice with the Rio Grande Valley Academic Health Center.

Since the TDH program was established, a similar, larger federal program operated by U.S. Department of Agriculture (USDA) has been suspended. Rural hospitals in shortage areas have been hit especially hard, since many communities have come to rely on physicians placed through the USDA program. The TDH program offers an alternative for placing foreign physicians, but the program is limited to securing visas for physicians who agree to practice in Cameron, Hidalgo, Starr, and Willacy counties. SB 558 would allow the TDH program to address the needs of all 120 rural and medically underserved counties in Texas.

SB 558 would not have a detrimental effect on the four South Texas counties now served by the program. During the first year, TDH recommended only one physician for a visa waiver, though it was authorized to recommend as many as 20. Changes in federal law now allow TDH to recommend up to 30 physicians per year. The Rio Grande Valley Academic Health Center cannot accommodate this many physicians, and it would remain eligible to sponsor foreign physicians through the program.

The program does not place physicians in communities in which a physician would create unwanted competition. Foreign physicians are sponsored by

local physicians and are selected to meet the community's specific medical needs.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The committee amendment to the Senate engrossed version would add provisions that would:

- authorize TDH to charge a fee to cover administrative costs, and
- require, as a condition of expediting a license application, that the applicant's affidavit state that the applicant had requested and was eligible for an immigration visa waiver.

The companion bill, HB 1130 by Hardcastle and Chavez, was considered in a public hearing by the House Border and International Affairs Committee on March 26 and left pending.