

SUBJECT: Examination requirements for practicing medicine in underserved areas

COMMITTEE: Public Health — favorable, without amendment

VOTE: 9 ayes — Kolkhorst, Naishtat, Coleman, Gonzales, Hopson, S. King,  
McReynolds, Truitt, Zerwas

0 nays

2 absent — J. Davis, Laubenberg

SENATE VOTE: On final passage, April 16 — 31-0, on Local and Uncontested Calendar

WITNESSES: For — Susan Guerra, William Schlesinger, Greater El Paso Chamber of  
Commerce; (*Registered, but did not testify*: Dan Finch, Texas Medical  
Association; Jodie Smith, Texans Care for Children; Matthew Wall, Texas  
Hospital Association)

Against — None

On — Jaime Garanflo, Mari Robinson, Texas Medical Board

BACKGROUND: Occupations Code, sec. 155.0511 allows the Texas Medical Board to  
accept the Federation Licensing Examination or the United States Medical  
Licensing Examination, or an examination administered by the Medical  
Board of Canada, the National Board of Osteopathic Medical Examiners,  
or the National Board of Medical Examiners, when issuing a license to  
practice medicine in Texas.

An applicant for a license to practice medicine is required to pass each part  
of an examination listed above within seven years unless the applicant is a  
graduate of a program that confers a doctor of philosophy degree in  
addition to a doctor of medicine or doctor of osteopathy degree, in which  
case the applicant must complete each part of the examination by the  
second anniversary of the date the applicant completed his or her graduate  
medical training.

A medical license applicant is given ten years to pass each part of an examination listed above if the applicant is certified by a specialty board that is a member of the American Board of Medical Specialties or the Bureau of Osteopathic Specialists, or if the applicant has practiced under a temporary faculty license for at least 12 months and been recommended to the board by the chief administrative officer and the president of the institution at which the applicant has practiced.

Occupations Code, sec. 155.056 states that a medical license applicant must pass each part of his or her examination within three attempts. Exceptions are given to applicants who have been licensed for at least five years and are in good standing in another state, have not ever had restrictions, disciplinary orders, or probation placed on his or her license in that state, and passed all but one part of the examination within three attempts but passed the remaining part within one additional attempt or within six attempts if the applicant was certified by a specialty board that is a member of the American Board of Medical Specialties or the Bureau of Osteopathic Specialists and has completed two years of additional postgraduate medical training in Texas.

**DIGEST:**

SB 616 would state that the time frame to pass each part of a medical examination required for licensing by the state and the limit on examination attempts would not apply to any applicant who was licensed for at least five years and was in good standing as a physician in another state, had not ever had any restrictions, disciplinary orders, or probation placed on his or her license in that state, and would practice in a medically underserved or health manpower shortage area in Texas. The Texas Medical Board would be allowed to establish a rule for determining that a person was practicing only in a medically underserved or health manpower shortage area.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.