

- SUBJECT:** Changing examination requirements for a license to practice medicine
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 8 ayes — Kolkhorst, Naishtat, Cortez, Guerra, S. King, Laubenberg, J.D. Sheffield, Zedler
- 2 nays — Collier, S. Davis
- 1 absent — Coleman
- SENATE VOTE:** On final passage, April 8 — 31-0
- WITNESSES:** For — (*Registered, but did not testify:* Snapper Carr, Permian Regional Medical Center; Corey Davison, Tenet Healthcare; Dan Finch, Texas Medical Association; Chuck Girard, Hospital Corporation of America; Stacy Wilson, Texas Hospital Association)
- Against — None
- On — Mari Robinson, Texas Medical Board
- BACKGROUND:** Texas requires physician applicants to pass the U.S. medical licensing examination (USMLE) within a certain number of attempts and within a certain time frame. Occupations Code, sec. 155.056 requires a physician to pass each part of the examination within three attempts. Sec. 155.051 requires a physician applicant to pass each part of the licensing examination within seven years, with some exceptions. This limitation does not apply to certain applicants who are licensed in another state and who have passed all but one part of the examination approved by the board within three attempts, if other requirements are met. Additionally, the Texas Medical Board is required to maintain a profile for every physician licensed to practice medicine in Texas.
- DIGEST:** CSSB 1082 would require a physician applicant to pass each individual part of the licensing examination within five attempts and all parts of the examination within nine attempts. The bill would require a physician's profile maintained by Texas Medical Board to include the number of

attempts taken to pass each part of the licensing examination.

The time frame to pass each part of the physician licensing examination and the limitation on the number of attempts would not apply to an applicant who:

- was licensed and in good standing as a physician in another state;
- had been licensed for at least five years;
- did not have a medical license that had or ever had any restrictions, disciplinary orders, or probations; and
- would practice in a medically underserved or a health manpower-shortage area.

The board by rule could establish a process to verify that these physicians only practice in medically underserved or health manpower-shortage areas.

The bill would repeal provisions providing additional eligibility requirements for certain aliens and provisions establishing examination attempt limits for those who held a physician-in-training license on September 1, 2005. The bill would apply physician license applications filed on or after the bill's effective date.

This 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, 2013.

**SUPPORTERS
SAY:**

CSSB 1082 would help alleviate health care workforce shortages, especially in rural and border areas of Texas that are chronically underserved. Texas requires physicians to pass the national licensing exam within a small number of attempts. This is difficult to achieve, even for qualified physicians. As a result, many physicians cannot practice in Texas due to the restrictive licensing requirements.

By increasing the number of examination attempts, the bill would allow more physicians to practice medicine in Texas. It would also create an exemption by which qualified out-of-state physicians could serve underserved areas of Texas, even if they did not pass the national licensing exam within the requisite number of attempts.

This bill would not lower the quality of physicians practicing in Texas. All

physicians must pass a national licensing exam, and states often allow physicians a greater number of attempts to pass this exam than is allowed in Texas. Moreover, many states have no limit on the number of attempts. This bill would promote uniformity by aligning Texas with other states, while still maintaining a very high standard for physicians.

**OPPONENTS
SAY:**

CSSB 1082 would lower the quality of physicians who practice in Texas, and the impact would disproportionately affect rural and border areas that are medically underserved. To ensure high-quality health care for all Texans, the state should maintain its rigorous standards for the licensing exam.