

BILL ANALYSIS

Senate Research Center

S.B. 1295
By: Cain
Health & Human Services
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As Filed

DIGEST

Currently, although Fifth Pathway programs no longer provide a large stream of physicians into the U.S. workforce, there are still several programs in operation. The statutory provision that authorized the Texas State Board of Medical Examiners (board) to license qualified Fifth Pathway certificate holders was repealed in the last legislative session on the basis that the Fifth Pathway was not being utilized by Texans who were training in foreign medical schools; however, research over the interim has shown that the program is, in fact, in use. This legislation would restore the statutory language previously in effect and reauthorize the board to license qualified Fifth Pathway certificate holders in order to allow Texans who successfully completed a Fifth Pathway program to return to Texas to practice medicine.

PURPOSE

As proposed, S.B. 1295 establishes the licensure of certain international medical graduates who have successfully completed a fifth pathway program.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 4495b, V.T.C.S. (Medical Practice Act), by adding Section 3.041, as follows:

Sec. 3.041. Requires an applicant who has been a student of a foreign medical school, to be eligible for the issuance of a license, to present satisfactory proof to the board that the applicant has met certain requirements. Provides that satisfaction of the requirements of this section are in lieu of the completion of any requirements of the foreign medical school beyond the completion of the didactic work. Requires satisfaction of the requirements in Subsection (a) to be in lieu of certification by the Educational Commission for Foreign Medical Graduates, and provides that certification is not a condition of licensure to practice medicine in this state for those candidates. Prohibits certain hospitals from requiring an individual who has been a student of a foreign medical school but has not graduated from the school to satisfy certain requirements prior to commencing an internship or residency. Sets forth the terms by which certain documents are required to be considered the equivalent of a degree of doctor of medicine or doctor of osteopathy for purposes of licensure.

SECTION 2. Emergency clause.

Effective date: upon passage.