

BILL ANALYSIS

Senate Research Center

H.B. 1987
By: McCall (Cain)
Health Services
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Engrossed

DIGEST

Currently, the Medical Practice Act is used to license physicians in Texas. This Act requires physicians seeking licensure in this state by way of endorsement or by way of original license to be reviewed, examined, and evaluated according to certain standards. The Texas State Board of Medical Examiners is the state agency which carries out laws prescribing the regulation of physicians who practice medicine in Texas. H.B. 1987 would set forth provisions regarding the administration of examinations or acceptance of physicians for licensure.

PURPOSE

As proposed, H.B. 1987 sets forth provisions regarding the administration of examinations or acceptance of physicians for licensure.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas State Board of Medical Examiners in SECTION 1 (Sections 3.05(a), (c), and (g), Article 4495b, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 3.05, Article 4495b, V.T.C.S. (Medical Practice Act), as follows:

Sec. 3.05. New heading: EXAMINATIONS ADMINISTERED OR ACCEPTED. Authorizes the Texas State Board of Medical Examiners (board) to administer or accept certain examinations for licensure as determined by rule. Requires each examination used by the board for licensure to practice medicine to be in writing in the English language and to be entirely fair and impartial to all individuals and to every school system of medicine. Requires an applicant who wishes to request reasonable accommodations due to a disability to submit the request on filing the application. Requires examinations to include subjects generally taught by medical schools. Requires the board to also administer the Texas medical jurisprudence examination to all applicants. Requires the minimum passing grade for each examination used by the board to be determined by rule. Requires examinations administered to evaluate basic medical knowledge and clinical competency to be prepared by a national testing service or the board and validated by qualified independent testing professionals. Requires all questions, answers, and grades to be preserved for one year as directed by the board by rule. Requires all applicants to be given notice of the date and place of the examination if the examination is administered by the board. Requires, not later than the 120th day after the date on which an examination is administered by the board, each examinee to be notified of the results of the examination. Requires the board however, if an examination is graded or reviewed by a national testing service, to notify each examinee of the results of the examination not later than the 30th day after the date the board receives the results from the testing service. Requires an applicant, except as provided by Subsection (k) or this section, to pass each part of an examination described by Subsection (a)(2), (3), (4), (6), or (7) of this section within seven years. Requires an applicant who is a graduate of a program designed to lead to both a doctor of philosophy degree and a doctor of medicine degree or doctor of osteopathy degree to pass each part of an examination described by Subsection (a)(2), (3), (4), (6), or (7) of this section not later than the second anniversary of the date the applicant was awarded a doctor of medicine degree or doctor of osteopathy degree. Requires an applicant to pass each part of an examination within three attempts, except that an applicant who has passed all but one part of an examination within three attempts may take the remaining part of the examination one

additional time. Sets forth the conditions, notwithstanding Subsection (1) of this section, under which an applicant is considered to have satisfied the requirements of this section. Deletes existing Subsections (a), (b), (c), (d), (e), and (f).

SECTION 2. Makes application of this Act retroactive.

SECTION 3. Emergency clause.
Effective date: upon passage.