

BILL ANALYSIS

Senate Research Center
76R6051 JMM-F

S.B. 1132
By: Madla
Health Services
3/26/1999
As Filed

DIGEST

Current due process provisions pertaining to hospital medical staff are only applicable to a medical staff applicant; current medical staff members' privileges are not protected by the same due process provisions when a hospital decides to terminate or limit them. The Health Care Quality Act of 1986 (Public Law No. 99-660) requires reporting of adverse actions, such as a "quality care issue," to the National Practitioner Data bank. Furthermore, there is frequent "deselection" of physicians and other hospital medical staff so that they are not provided due process for terminations and modifications of privileges, by managed care panels. S.B. 1132 would provide procedural due process requirements for renewal, modification, or revocation of medical staff membership and privileges.

PURPOSE

As proposed, S.B. 1132 provides procedural due process requirements for renewal, modification, or revocation of medical staff membership and privileges.

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 Section 241.101(c), Health and Safety Code, to require that the process of considering medical staff membership applications and privileges or the renewal, modification, or revocation of medical staff membership and privileges must afford each physician, podiatrist, and dentist procedural due process.

SECTION 2. Emergency clause.
Effective date: upon passage.