BILL ANALYSIS

DIGEST

Currently, the Medical Practice Act is the vehicle used to license physicians in Texas. The Texas Board of Medical Examiners (BME) is the state agency created to prescribe the qualifications for practitioners of medicine in the state and punish persons for malpractice. The mission of the BME is to assure the safety of its citizens through the appropriate regulation of physicians who practice medicine in Texas. C.S.S.B. 680 would authorize BME to use new technology to accept and appropriate licensure examination given electronically on a nationwide basis.

PURPOSE

As proposed, C.S.S.B. 680 regulates the licensure of physicians.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Board of Medical Examiners in SECTION 1 (Sections 3.05(a), (e), (g), and (k), 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 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 or 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, a knowledge of which is commonly and generally required of candidates for the degree of doctor of medicine or doctor of osteopathy conferred by schools in this state. Requires the board to also administer the Texas medical jurisprudence examination to all applicants. Requires the minium 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 adminstered by the board. Requires each examinee not later than a certain date to be notified of the results of the examination. Requires the board to notify each examinee of the results of the examination not later than a certain date, if an examination is graded or reviewed by a national testing service. Requires an applicant to pass each part of an examination described by Subsection (a)(2), (3), (4), (6), or (7) within seven years. Prohibits an applicant from taking an examination more than three times, except that an applicant who has passed all but one part of the examination after taking the examination three times may take that part one additional time as determined by board rule. Deletes text regarding examinations. Deletes text authorizing the board to require applicants to comply with other requirements. Deletes text regarding uniform examination, enforcement rules, and notice of examination. Deletes text regarding subsequent examinations, satisfactory grades, and credit of answers on the examination. Deletes text regarding examination questions to be used on future exams. Deletes text regarding notification of results of the exam. Deletes text regarding summarized analysis of the person's performance on the examination.

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

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

    Deletes proposed amendments to Sections 3.05(c) and (d) regarding a temporary license and the number of times a person can take an examination.

    Redesignates existing SECTIONS accordingly.