

## BILL ANALYSIS

Senate Research Center  
80R2924 JRJ-D

S.B. 420  
By: Lucio  
S/C on Higher Education  
4/28/2007  
As Filed

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, there is only one professional degree offered south of the San Antonio region. The nearest health science center to the Rio Grande Valley is The University of Texas Health Science Center in San Antonio. It is difficult for residents of the Rio Grande Valley to obtain advanced education from San Antonio because of the long distance they must travel to receive instruction. The Rio Grande Valley currently lacks health care providers and, according to the Department of State Health Services, the Rio Grande Valley has been designated as a medically underserved area of Texas.

As proposed, S.B. 420 establishes The University of Texas Health Science Center--Rio Grande Valley to provide a local education alternative in the region.

### RULEMAKING AUTHORITY

Rule making authority is expressly granted to the board of regents of The University of Texas System under SECTION 1 (Section 74.613, Education Code) of this bill.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter L, Chapter 74, Education Code, as follows:

#### SUBCHAPTER L. New heading: THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER--RIO GRANDE VALLEY

Sec. 74.611. New heading: HEALTH SCIENCE CENTER. Requires the board of regents of regents of The University of Texas System (board of regents) to operate The University of Texas Health Science Center--Rio Grande Valley as a component institution of The University of Texas System with its main campus and administrative offices in the Harlingen metropolitan area. Provides that the health science center (center) consists of a medical school, other health and health-related degree programs, and related programs and facilities as the board of regents deems appropriate.

(b) Authorizes the board of regents to include facilities located in certain counties in the center and to operate programs and activities and provide related services of the center in those counties, rather than authorizing the board of regents to establish a regional academic health center serving certain counties and to include medical institutions for participation in the program, if general revenue funds are specifically appropriated by the legislature. Deletes existing text referring to a regional academic health center.

Sec. 74.612. PARTICIPATION IN AVAILABLE UNIVERSITY FUND. Entitles the institution created by this section to participate in the funding provided by Section 18, Article VII, Texas Constitution, for The University of Texas System, in accordance with Section 18(c), Article VII, Texas Constitution, if the Act enacting this section receives a vote of two-thirds of all the members elected to each house of the legislature.

Sec. 74.613. COURSES AND DEGREES; RULES. Authorizes the board of regents to prescribe courses leading to customary degrees and to adopt rules for the operation, control, and management of the center necessary for the conduct of a medical school and other center programs of the first class.

Sec. 74.614. AFFILIATION AGREEMENTS; JOINT APPOINTMENTS. (a) Authorizes the board of regents to execute and carry out affiliation or coordination agreements with other entities or institutions in the region to participate in the center, rather than authorizing the board of regents to execute or carry out these agreements to establish or participate in the establishment or operation of the center.

(b) Authorizes the board of regents to make joint appointments in the health science center and other institutions under the board of regents' governance. Requires the salary of a person who receives a joint appointment to be apportioned to the appointing institutions on the basis of services rendered. Deletes existing text relating to the assigning of certain management responsibility and payment of operating costs.

(c) Deletes existing text relating to higher education provided by the center as the board of regents determines necessary.

Sec. 74.615. GIFTS AND GRANTS. Redesignated from Section 74.612. Makes a conforming change.

Sec. 74.616. New heading: OTHER FACILITIES. Redesignated from Section 74.613. Authorizes the board of regents to enter into agreements under which certain additional facilities used for the center's teaching and research programs may be provided by a public or private entity. Deletes existing text authorizing facilities to be constructed, maintained, or operated with state funds. Makes a conforming change. Makes nonsubstantive changes.

Sec. 74.617. TEACHING HOSPITAL. Redesignated from Section 74.614. Makes a conforming change.

Sec. 74.618. COORDINATING BOARD SUPERVISION. Redesignated from Section 74.615. Makes a conforming change.

SECTION 2. Amends Section 55.1732, Education Code, by adding Subsection (e), to provide that bonds authorized or issued under this section for the center established under Section 74.611 are considered to have been authorized or issued for The University of Texas Health Science Center--Rio Grande Valley when that institution is established.

SECTION 3. Amends Section 61.003(5), Education Code, to redefine "medical and dental unit."

SECTION 4. Amends Section 63.002(c), Education Code, to include The University of Texas Health Science Center--Rio Grande Valley as a health related institution of higher education for which funds are appropriated for medical research, health education, or treatment programs. Makes conforming changes.

SECTION 5. Amends Section 63.101(a), Education Code, to redesignate the regional academic health center established under Section 74.611 as The University of Texas Health Science Center--Rio Grande Valley.

SECTION 6. Amends Section 65.02(a), Education Code, to include The University of Texas Health Science Center--Rio Grande Valley among the institutions which compose The University of Texas System.

SECTION 7. (a) Requires the board of regents to convert the regional academic health center established under Subchapter L, Chapter 74, Education Code, as that subchapter existed before the effective date of this Act, into The University of Texas Health Science Center--Rio Grande Valley and establish a medical school at the health science center after this Act takes effect as soon as the board of regents considers appropriate considering available resources and the best interests of The University of Texas System and the people of this state and the Lower Rio Grande Valley, but not later than the 2009-2010 academic year. Requires the board of regents to ensure that the existing programs, students, and faculty and staff of the regional academic health

center are not affected other than as the board of regents considers necessary to implement this Act in establishing the health science center and medical school.

(b) Provides that it is the intent of the legislature that The University of Texas Health Science Center--Rio Grande Valley be established by conversion of the regional academic health center established under Subchapter L, Chapter 74, Education Code, as that subchapter existed before the effective date of this Act, and that those entities be considered to be the same institution. Provides that a reference in law to the regional academic health center applies to The University of Texas Health Science Center--Rio Grande Valley to the extent applicable. Provides that all contracts and agreements, including bonds and other financial obligations, entered into by The University of Texas System or any of its officers or employees relating to the regional academic health center apply to The University of Texas Health Science Center--Rio Grande Valley when the health science center is established.

(c) Provides that the permanent endowment fund established under Section 63.101, Education Code, for the benefit of the regional academic health center established under Subchapter L, Chapter 74, Education Code, as that subchapter existed before the effective date of this Act, is transferred to the benefit of The University of Texas Health Science Center--Rio Grande Valley when the health science center is established. Provides that it is the intent of the legislature that the transfer of the endowment fund be made so as not to interrupt the research or other programs supported by distributions from the fund.

SECTION 8. Effective date: upon passage or September 1, 2007.