

BILL ANALYSIS

Senate Research Center

S.B. 1225
By: Huffman et al.
Health & Human Services
9/15/2009
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 155.104 (Temporary Licenses), Occupations Code, allows the Texas Medical Board to issue faculty temporary licenses to physicians who do not hold a license to practice medicine in this state, but who have a medical doctor (M.D.), doctor of osteopathic medicine (D.O.), or equivalent degree and who are licensed to practice medicine in another state or Canadian province or have completed at least three years of postgraduate residency.

Temporary licenses allow eligible physicians to practice medicine solely within the confines of the medical school and its affiliates for the period of one year. Section 155.104 establishes eligibility and licensing requirements for temporary licenses.

In 2005, S.B. 419 created a gap in the availability of faculty temporary licenses in Texas by allowing Texas medical schools to obtain temporary licenses for their faculty. Accredited graduate medical education programs operated by Texas hospitals and nonprofit health organizations were indirectly excluded from obtaining these temporary licenses. By providing these temporary licenses to graduate medical education programs operated by hospitals and nonprofit health organizations, Texas will have more skilled teaching physicians. An increased number of teaching physicians will allow for increased levels of new physicians being trained, doctors, and patient care.

S.B. 1225 provides temporary faculty licenses to certain faculty working at institutions, including institutional sponsors of accredited graduate medical education programs and nonprofit health corporations that are affiliated with sponsors of those accredited graduate medical education programs.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 155.104(b), (e), (g), and (h), Occupations Code, as follows:

(b) Authorizes the Texas Medical Board (TMB) to issue a faculty temporary license to practice medicine to a physician as provided by this section. Requires the physician to meet certain criteria, including holding a salaried faculty position equivalent to at least the level of assistant professor, rather than a position of at least the level of assistant professor, and be working full-time at certain medical institutions, including the Schools of Medicine at Texas Tech University Health Sciences Center, rather than Texas Tech University School of Medicine, an institutional sponsor of a graduate medical education program accredited by the Accreditation Council for Graduate Medical Education, or a nonprofit health corporation certified under Section 162.001 (Certification By Board) and affiliated with a program described by Paragraph (K) (regarding a program accredited by the Accreditation Council for Graduate Medical Education). Deletes existing text authorizing TMB to issue a faculty temporary license to practice medicine to a physician appointed by a medical school in this state. Makes nonsubstantive changes.

(e) Requires a physician holding a temporary license under Subsection (b) and the physician's institution, rather than medical school, to file affidavits with TMB affirming

acceptance of the terms and limits imposed by TMB on the medical activities of the physician.

(g) Makes conforming changes.

(h) Requires that the application for a temporary license under Subsection (b) be made by the chairman of the department of the institution in which the physician teaches, or the person holding the equivalent position at the institution where the physician teaches, and contain the information and documentation requested by the department. Makes a conforming change.

SECTION 2. Effective date: upon passage or September 1, 2009.