

## **BILL ANALYSIS**

Senate Research Center  
81R11846 BEF-F

C.S.S.B. 202  
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Health & Human Services  
2/25/2009  
Committee Report (Substituted)

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

Texas is a state with significant shortages in a variety of health care professions, with El Paso being the least staffed city in the state and the United States. Shortages exist in El Paso in regard to physicians, dentists, nurses, and allied health professionals. Statistics also show that physicians are not evenly distributed throughout the state.

In addition to the existing physician shortage in El Paso, a population growth of 65,000 over the next five years is estimated at Fort Bliss as a result of Base Realignment and Closure (BRAC) decisions. The BRAC impact alone will require an additional 615 doctors by 2017.

In recent years, the processing time for physician licensure applications has increased significantly and physicians who desire to practice in El Paso are experiencing processing times of several months, despite efforts by the Texas Medical Board (TMB) to streamline the licensure process.

C.S.S.B. 202 requires TMB to grant a provisional license to practice medicine in certain locations to applicants who meet certain requirements relating to licensure, examination, and sponsorship.

### **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 Subchapter C, Chapter 155, Occupations Code, by adding Section 155.101, as follows:

Sec. 155.101. PROVISIONAL LICENSE TO PRACTICE IN CERTAIN AREAS. (a) Requires the Texas Medical Board (TMB), on application, to grant a provisional license to practice medicine in a location described by Subsection (e) to an applicant for a license under this subtitle who is licensed in good standing as a physician in another state.

(b) Prohibits TMB from granting a provisional license under this section to an applicant who has had a medical license suspended or revoked by another state or a Canadian province or holds a medical license issued by another state or a Canadian province that is subject to a restriction, disciplinary order, or probationary order.

(c) Requires the provisional license applicant to have passed a national or other examination recognized by TMB relating to the practice of medicine within the number of attempts allowed under Section 155.056 (Examination Attempt Limits), submit information to enable TMB to conduct a criminal background check as required by TMB, and be sponsored by a person licensed under this subtitle with whom the provisional license holder is authorized to practice under this section.

(d) Authorizes TMB to excuse an applicant for a provisional license from the requirement of Subsection (c)(3) (requiring the applicant to be sponsored by a

person licensed under this subtitle with whom the provisional license holder may practice) if TMB determines that compliance with that subsection constitutes a hardship to the applicant.

(e) Authorizes a person who holds a provisional license under this section to only practice medicine in certain locations.

(f) Provides that a provisional license expires on the earlier of the date TMB issues the provisional license holder a license under this subtitle or denies the provisional license holder's application for a license, or the 270th day after the date the provisional license was issued.

(g) Requires TMB to issue a license under this subtitle to the holder of a provisional license under this section if the provisional license holder meets certain examination and licensure requirements.

SECTION 2. Makes application of this Act prospective to January 1, 2010.

SECTION 3. Effective date: September 1, 2009.