

## **BILL ANALYSIS**

Senate Research Center  
81R4865 YDB-D

S.B. 525  
By: Nelson  
Health & Human Services  
2/20/2009  
As Filed

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

Under the federal Conrad 30 program each state is permitted to request that the U.S. Department of State recommend up to 30 waivers for immigrant physicians who agree to work for three years in an underserved area. Each state is also permitted to recommend up to 10 "flex" slots for physicians who will work in an underserved area, but not locate their practice there. Current Texas law limits use of the Conrad 30 program in underserved areas, which means that Texas is prevented from using the 10 "flex" spots.

As proposed, S.B. 525 authorizes the Department of State Health Services to request waiver of foreign country residence requirements for certain qualified alien physicians who agree to practice in an area with a current shortage of physicians.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

### **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 Section 12.0127(a), Health and Safety Code, as follows:

(a) Authorizes the Texas Department of Health (TDH), in accordance with 8 U.S.C. Sections 1182 and 1184, rather than in accordance with 8 U.S.C. Section 1182(c), as amended, under exceptions provided by 8 U.S.C. Section 1184(1), as amended, to request waiver of the foreign country residence requirement for a qualified alien physician who agrees to practice medicine in accordance with the federal waiver requirements, provided priority is given to an area with a current shortage of physicians. Deletes existing text relating to a physician who agrees to practice medicine in a medically underserved area or health professional shortage area, as designated by the United States Department of Health and Human Services, that has a current shortage of physicians.

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