

BILL ANALYSIS

Senate Research Center

C.S.S.B. 98
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Higher Education
3/25/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The South Texas border region has recently made strides in the development of professional health education with the opening of the Irma Rangel Pharmacy school at Texas A&M Kingsville and the development of the Regional Academic Health Center (RAHC), with facilities at The University of Texas (UT)-Brownsville, UT-Pan American, and in Harlingen. The interest shown in these educational facilities illustrates the desire of the fast-growing population in the South Texas border region to pursue professional degree programs. There is a great need for healthcare providers in the South Texas region. Establishing the first medical school in South Texas will provide an opportunity for local university graduates to attend professional school. An increasing number of students are choosing to continue their education in these locations and more of these graduates are choosing to practice in South Texas. The establishment of The University of Texas Health Science Center-South Texas will increase medical research specific to the U.S./Mexico border area, allow local residents to receive a complete medical education without having to travel to another part of the state, and would help address the current medical provider shortage in the area through new faculty and residency positions.

C.S.S.B. 98 authorizes the board of regents of The University of Texas System to establish The University of Texas Health Science Center-South Texas.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the board of regents of the University of Texas System in SECTION 1 (Section 74.754, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 74, Education Code, by adding Subchapter N, as follows:

SUBCHAPTER N. THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER -- SOUTH TEXAS

Sec. 74.751. HEALTH SCIENCE CENTER. (a) Authorizes the board of regents of The University of Texas System (board) to operate The University of Texas Health Science Center--South Texas (UTHSC-South Texas) as a component institution of The University of Texas System (UT System) with its main campus and administrative offices in Cameron County. Authorizes UTHSC-South Texas to consist of a medical school, as provided by Section 74.752, other health and health-related degree programs, and related programs and facilities as the board considers appropriate.

(b) Authorizes the board to include facilities located in certain counties in UTHSC-South Texas. Authorizes the board to operate programs and activities and provide related services of the center in those counties.

Sec. 74.752. MEDICAL SCHOOL. Authorizes UTHSC-South Texas, if UTHSC-South Texas is established under Section 74.751, to be established as a component of the health science center and as a component institution of the UT System under the management and control of the board.

Sec. 74.753. PARTICIPATION IN AVAILABLE UNIVERSITY FUND. Provides that if the Act enacting this section receives a vote of two-thirds of all members elected to

each house of the legislature, and if an institution is established under this subchapter, the institution is entitled to participate in the funding provided by Section 18 (Texas A&M University System; University of Texas System; Bonds or Notes Payable From Income of Available University Fund), Article VII (Education), Texas Constitution, for the UT System.

Sec. 74.754. COURSES AND DEGREES; RULES. Authorizes the board to prescribe courses leading to customary degrees and to adopt rules for the operation, control, and management of UTHSC-South Texas as may be necessary for the conduct of a medical school and other health science center programs of the first class.

Sec. 74.755. AFFILIATION AGREEMENTS; JOINT APPOINTMENTS. (a) Authorizes the board to execute and carry out affiliation or coordination agreements with any other entity or institution in the region.

(b) Authorizes the board to make joint appointments in UTHSC-South Texas, its component institutions, and other institutions under the board's governance. Requires that the salary of a person who receives a joint appointment be apportioned to the appointing institutions on the basis of services rendered.

Sec. 74.756. GIFTS AND GRANTS; OTHER FUNDING. (a) Authorizes the board to accept and administer gifts and grants from any public or private person or entity for the use and benefit of UTHSC-South Texas and its component institutions.

(b) Provides that notwithstanding any other provision of this subchapter, establishment of UTHSC-South Texas is subject to the availability of funding, either through appropriation or from another source.

Sec. 74.757. OTHER FACILITIES. Authorizes the board to enter into agreements under which additional facilities used in the UTHSC-South Texas's teaching and research programs, including certain facilities, are authorized to be provided by a public or private entity, in addition to the facilities of UTHSC-South Texas and its component institutions.

Sec. 74.758. TEACHING HOSPITAL. Authorizes a teaching hospital considered suitable by the board to be provided by a public or private entity. Prohibits the hospital from being constructed, maintained, or operated with state funds.

Sec. 74.759. COORDINATING BOARD SUPERVISION. Provides that UTHSC-South Texas is subject to the continuing supervision of the Texas Higher Education Coordinating Board (THECB) and to rules of THECB adopted under Chapter 61 (Texas Higher Education Coordinating Board).

Sec. 74.760. EFFECT OF HEALTH SCIENCE CENTER ON LOWER RIO GRANDE VALLEY ACADEMIC HEALTH CENTER. (a) Authorizes the board to convert the regional academic health center established under Subchapter L (Lower Rio Grande Valley Academic Health Center) into UTHSC-South Texas and establish The University of Texas Medical School-South Texas (medical school) at UTHSC-South Texas as soon as the board considers appropriate considering available resources and the best interests of the UT System and the people of this state and the South Texas region. Requires that, in establishing UTHSC-South Texas and the medical school, the board ensures that the programs, students, and faculty and staff of the regional academic health center are not affected other than as the board considers necessary to implement this subchapter.

(b) Provides that it is the intent of the legislature that UTHSC-South Texas and its component institutions be established by conversion of the regional academic health center established under Subchapter L 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 UTHSC-South Texas to the extent that it can be made applicable. Provides that all contracts and agreements, including bonds and other financial obligations, entered into by the UT System or any of its officers or

employees relating to the regional academic health center apply to UTHSC-South Texas when the UTHSC-South Texas is established.

(c) Provides that the permanent endowment fund established under Section 63.101 (Permanent Health Fund for Higher Education) for the benefit of the regional academic health center established under Subchapter L is transferred to the benefit of UTHSC-South Texas and its component institutions when UTHSC-South Texas is established. Provides that it is the intent of the legislature that the transfer of the permanent endowment fund be made so as not to interrupt the research or other programs supported by distributions from the fund.

SECTION 2. Amends Section 55.1732, Education Code, by adding Subsection (e) to provide that bonds authorized or issued under this section for the regional academic health center established under Section 74.611 (Authority to Establish or Participate in Center) are considered to have been authorized or issued for UTHSC-South Texas and its component institutions when UTHSC-South Texas is established.

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

SECTION 4. Amends Section 63.002(c), Education Code, to authorize the amount available for distribution from the permanent health fund for higher education (fund) to be appropriated only for programs that benefit medical research, health education, or treatment programs at certain health related institutions of higher education, including UTHSC-South Texas and its component institutions, if established under Subchapter N, Chapter 74. Makes nonsubstantive changes.

SECTION 5. Amends Section 65.02(a), Education Code, to provide that the UT System is composed of certain institutions and entities, including UTHSC-South Texas, including the medical school, if established under Subchapter N, Chapter 74. Makes a nonsubstantive change.

SECTION 6. Prohibits funds for a state fiscal biennium ending on or before August 31, 2015, from being appropriated for the purposes of Subchapter N, Chapter 74, Education Code, as added by this Act, other than funds appropriated for the regional academic health center established under Section 74.611, Education Code.

SECTION 7. Effective date: upon passage or September 1, 2009.