

BILL ANALYSIS

Senate Research Center
85R15480 MAW-D

C.S.S.B. 849
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Health & Human Services
4/13/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, when a team physician for an out-of-state sports team practices their trade in Texas, they are acting in contravention of state law—they are practicing medicine without a license. Our state licensing apparatus does not have any provision to account for this common event. S.B. 849 would provide a statutory exception to allow these professionals to help their teams with no risk of legal repercussion or insurance lapse. This bill would only grant a limited exception for those medical professionals to practice with their teams and for family members of the team.

Additionally, the exception is only for 10 days so there is not a risk of this being exploited as a work-around to our licensing system. This exception is consistent with the rationale for our regulatory system because there is no issue with consumer protection—the teams have hand-selected these physicians themselves. Moreover, to be covered by the exception, the professionals must be fully licensed within their home state. While not all states protect Texas physicians in similar situations, this bill could be a step towards creating an environment of reciprocity. S.B. 849 provides a common-sense solution to the potential issues surrounding out-of-state team physicians practicing their trade for their teams within Texas. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 849 amends current law relating to an exemption from licensing requirements for physicians associated with certain sports teams.

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 B, Chapter 151, Occupations Code, by adding Section 151.0521, as follows:

Sec. 151.0521. EXEMPTION FOR SPORTS TEAM PHYSICIAN. Sets forth the requirements for a person who is exempt from the licensing requirements of this subtitle (Physicians) and may engage in the practice of medicine in this state.

SECTION 2. Amends Section 451.003, Occupations Code, as follows;

Sec. 451.003. APPLICABILITY. Provides that this chapter (Athletic Trainer) does not apply to:

- (1) a physician licensed by the Texas Medical Board or engaged in the practice of medicine as authorized by Section 151.0521;
- (2) through (10) makes no changes to these subdivisions.

SECTION 3. Effective date: September 1, 2017.