

## **BILL ANALYSIS**

Senate Research Center  
88R21930 MPF-F

C.S.S.B. 730  
By: Hinojosa; Perry  
Health & Human Services  
4/17/2023  
Committee Report (Substituted)

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

Doctors of podiatric medicine (DPMs) are podiatric physicians and surgeons who diagnose and treat conditions affecting the foot, ankle, and connected structures of the leg. Currently, this entails both surgical and non-surgical treatments. Surgical procedures require hospital care, and are performed by podiatrists who are on the medical staff at a Texas licensed hospital or Texas licensed ambulatory surgical center, consistent with their education, training, and experience.

Privileges, granted through a process outlined in a specific hospital's medical staff bylaws, are what enable podiatrists to practice specific surgical treatments. Certain Texas hospitals are not allowing, not offering, or are revoking privileges for surgical treatments of ankle and connected lower leg conditions traditionally performed by DPMs, even though these treatments fall under their current scope of practice.

Similar to existing protections in statute for dentists and osteopathic doctors, S.B. 730 changes Section 241.102(c), Health and Safety Code, to prohibit the denial of privileges on a medical staff for podiatrists. Specifically, S.B. 730 ensures podiatrists may not be denied privileges solely on the ground that the applicant is a podiatrist rather a physician, protecting access to important surgical care.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 730 amends current law relating to the granting of privileges to and the authority of podiatrists at hospitals.

### **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 241.102, Health and Safety Code, by amending Subsection (c) and adding Subsection (f), as follows:

(c) Prohibits an applicant for medical staff membership or privileges from being denied membership or privileges solely on the ground that the applicant is a podiatrist rather than a physician.

(f) Provides that Section 241.102 (Authorizations and Restrictions in Relation to Physicians and Podiatrists) does not authorize a podiatrist to practice beyond the scope of the podiatrist's license to practice podiatry.

SECTION 2. Effective date: September 1, 2023.