

By: Oliverson

H.B. No. 2556

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the licensing and regulation of physician graduates and  
3 the authority of an insured to select a physician graduate under the  
4 insured's health insurance policy; requiring an occupational  
5 license; authorizing fees.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Chapter 155, Occupations Code, is amended by  
8 adding Subchapter E to read as follows:

9 SUBCHAPTER E. PHYSICIAN GRADUATE

10 Sec. 155.201. DEFINITION. In this subchapter, "physician  
11 graduate" means an individual licensed under this subchapter to  
12 practice medicine under a supervising practice agreement as  
13 described by Section 155.205.

14 Sec. 155.202. RULES. The board shall adopt rules in  
15 accordance with this subchapter relating to the licensing and  
16 regulation of physician graduates, including rules relating to:

17 (1) procedures and fees for the issuance, term, and  
18 renewal of a license under this subchapter;

19 (2) practices and requirements for the supervision of  
20 physician graduates; and

21 (3) any other matter necessary to ensure protection of  
22 the public, including disciplinary procedures.

23 Sec. 155.203. LICENSE ISSUANCE. On application, the board  
24 shall issue a license to practice medicine under this subchapter to

1 an applicant who:

2 (1) is a resident of this state and is:

3 (A) a United States citizen or a legal permanent  
4 resident; or

5 (B) otherwise authorized under federal law to  
6 work in the United States;

7 (2) has proficiency in the English language;

8 (3) is a graduate of:

9 (A) a board-approved medical school or  
10 osteopathic medical school; or

11 (B) a medical school located outside of the  
12 United States that is not approved by the board, if the applicant is  
13 licensed in good standing to practice medicine in another country;

14 (4) has passed the second component of the United  
15 States Medical Licensing Examination or the equivalent component of  
16 another board-approved licensing examination described by Section  
17 155.0511;

18 (5) is not enrolled in a board-approved postgraduate  
19 residency program; and

20 (6) meets any other requirement prescribed by board  
21 rule.

22 Sec. 155.204. FEES. The amount of a fee for the issuance or  
23 renewal of a license under this subchapter may not exceed the amount  
24 of a fee for the issuance or renewal of a physician assistant  
25 license under Chapter 204.

26 Sec. 155.205. SUPERVISING PRACTICE AGREEMENT REQUIRED. (a)  
27 A physician graduate shall enter into a supervising practice

1 agreement with a physician who is:

2 (1) licensed under this subtitle; and

3 (2) not currently subject to disciplinary action by  
4 the board.

5 (b) A physician graduate who has not entered into a  
6 supervising practice agreement described by Subsection (a) may not  
7 practice or attempt to practice medicine.

8 Sec. 155.206. LIMITED PRACTICE BY LICENSE HOLDER. A  
9 physician graduate license holder may provide only primary care  
10 services, as defined by board rule, under supervision in accordance  
11 with the supervising practice agreement described by Section  
12 155.205.

13 Sec. 155.207. LIABILITY OF SUPERVISING PHYSICIAN. A  
14 physician who enters into a supervising practice agreement with a  
15 physician graduate under Section 155.205 is responsible at all  
16 times for the oversight of and is liable for any medical act  
17 performed by the physician graduate in the provision of primary  
18 care services.

19 Sec. 155.208. IDENTIFICATION REQUIREMENTS; USE OF TITLE.

20 (a) The holder of a license issued under this subchapter shall at  
21 all times while practicing as a physician graduate display a  
22 personal identification document identifying the license holder as  
23 a physician graduate.

24 (b) A physician graduate may use the following titles or  
25 abbreviations:

26 (1) "doctor"; or

27 (2) "Dr." or "doc."

1       Sec. 155.209. STATUS AS GENERAL PRACTITIONER. A physician  
2 graduate license holder is considered a general practitioner for  
3 purposes of regulations of the federal Centers for Medicare and  
4 Medicaid Services.

5       Sec. 155.210. LICENSE RENEWAL. The board may not renew a  
6 license issued under this subchapter unless the board verifies that  
7 the license holder has practiced in accordance with this subchapter  
8 under a supervising practice agreement described by Section 155.205  
9 in the license term preceding the application for renewal.

10       Sec. 155.211. DENIAL, SUSPENSION, OR REVOCATION OF LICENSE.  
11 The board may deny an application for licensure or suspend or revoke  
12 a license issued under this subchapter:

13               (1) for any ground provided by Chapter 164 or board  
14 rule; and

15               (2) in the manner provided by Chapter 164.

16       SECTION 2. Section 1451.001, Insurance Code, is amended by  
17 adding Subdivision (16-a) to read as follows:

18               (16-a) "Physician graduate" means an individual  
19 licensed under Subchapter E, Chapter 155, Occupations Code, to  
20 practice medicine under a supervising practice agreement as  
21 described by Section 155.205, Occupations Code.

22       SECTION 3. Subchapter C, Chapter 1451, Insurance Code, is  
23 amended by adding Section 1451.129 to read as follows:

24       Sec. 1451.129. SELECTION OF PHYSICIAN GRADUATE. An insured  
25 may select a physician graduate to provide the services scheduled  
26 in the health insurance policy that are within the scope of the  
27 physician graduate's license under Subchapter E, Chapter 155,

1 Occupations Code.

2           SECTION 4. Not later than December 1, 2023, the Texas  
3 Medical Board shall adopt rules as necessary to implement  
4 Subchapter E, Chapter 155, Occupations Code, as added by this Act.

5           SECTION 5. Section 1451.129, Insurance Code, as added by  
6 this Act, applies only to a health insurance policy that is  
7 delivered, issued for delivery, or renewed on or after January 1,  
8 2024.

9           SECTION 6. This Act takes effect September 1, 2023.