

BILL ANALYSIS

Senate Research Center

S.B. 558
By: Madla
International Relations and Trade
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Enrolled

DIGEST AND PURPOSE

Currently, Texas law allows the Texas Department of Health to apply for a federal waiver allowing foreign physicians to stay in the U.S. after completing their education if they agree to work in a medically underserved area. However, the program is limited to Cameron, Hidalgo, Starr, and Willacy counties. This prevents other medically underserved counties in Texas from benefitting from the expertise of a medical professional in their community. S.B. 558 expands the program to all medically underserved and health professional shortage areas in Texas. S.B. 558 also specifies that the physician must plan to practice medicine in the area, rather than accept a job in the area.

RULEMAKING AUTHORITY

Rulemaking authority already granted to the Texas Board of Health is modified in SECTION 2 (Section 155.1025, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 12, Health and Safety Code, by adding Section 12.0127, as follows:

Sec. 12.0127. IMMIGRATION VISA WAIVERS FOR PHYSICIANS. (a) Authorizes the Texas Department of Health (TDH) to request a waiver of the foreign country residence requirement for a qualified alien physician who agrees to practice in a medically underserved or health professional shortage area that has a current shortage of physicians, in accordance with and under exceptions provided by 8 U.S.C. Sections 1182(e) and 1184(1).

(b) Authorizes TDH to charge a fee to cover the costs incurred by TDH in administering the visa waiver program established under this section.

SECTION 2. Amends Section 155.1025(a), Occupations Code, to specify that for a waiver to be acceptable, a rural area must be determined to be so by the Office of Rural Community Affairs, rather than the Center for Rural Health Initiatives, or the applicant has requested and is eligible for an immigration visa waiver as described by Section 12.0127, Health and Safety Code, and intends to practice medicine in the underserved area, rather than accept a job. Deletes text referring to required affiliation with a university-sponsored program. Makes a conforming change.

SECTION 3. Repealer: Section 51.949, Education Code (Immigration Visa Waivers for Faculty Physicians).

SECTION 4. Effective date: September 1, 2003.