

BILL ANALYSIS

S.B. 558
By: Madla
Border and International Affairs
Committee Report (Amended)

BACKGROUND AND PURPOSE

Under current law (§51.949 and §74.611, Education Code, §155.1025, Occupations Code) the Texas Department of Health is authorized to request a federal waiver that would allow qualified foreign physicians to remain in the United States. In order to apply for a waiver, a foreign physician must agree to work in a medically underserved area that is located within Cameron, Hidalgo, Starr, or Willacy counties and affiliated with a university-sponsored program. Senate Bill 558 would broaden the program to apply to all medically underserved areas and health professional shortage areas in Texas and amends certain requirements relating to the application of foreign or out-of-state physicians for an expedited licensing process.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill grants rulemaking authority in SECTION 2 (§155.1025, Occupations Code) to the Texas State Board of Medical Examiners.

ANALYSIS

SECTION 1. S.B.558 amends the Health and Safety Code to authorize the Texas Department of Health (department) to request a waiver of the federal foreign country residence requirement for a qualified alien physician who agrees to practice medicine in a medically underserved area or health professional shortage area as designated by the United State Department of Health and Human Services.

SECTION 2. S.B. 558 amends the Occupations Code to change the conditions under which the Texas State Board of Medical Examiners (board) is required to expedite the licensing of certain applicants who are licensed in another state or country (applicant). The bill provides that the medically underserved area in which the applicant agrees to practice medicine must have a current shortage of health professionals. The bill also provides that the applicant must intend to practice medicine, rather to accept a job, in the specified areas. The bill eliminates the requirement that the applicant accept a job and certain responsibilities within a university-sponsored program. S.B. 558 also makes a statutory update, replacing the Center for Rural Health Initiatives (no longer in existence) with the Office of Rural Community Affairs.

SECTION 3. S.B. 558 amends the Education Code by repealing the section pertaining to requiring the department to request a federal waiver of the foreign country residence requirement for a qualified alien physician who agrees to accept employment with an entity in a medically underserved area that is located within Cameron, Hidalgo, Starr, or Willacy counties and affiliated with a university-sponsored program.

EFFECTIVE DATE

September 1, 2003.

EXPLANATION OF AMENDMENTS

Committee Amendment 1 amends SECTION 1 (§12.0127, Health and Safety Code) by authorizing the department to charge a fee to cover the costs incurred by the department in administering the visa waiver program.

Committee Amendment 1 amends SECTION 2 (§155.1025, Occupations Code) to provide that an applicant for an expedited licensing process under that section must have requested and be eligible for an immigration visa waiver.