

## **BILL ANALYSIS**

S.B. 788  
By: Carona  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

S.B. 788 authorizes the Texas State Board of Medical Examiners (TSBME) to adopt rules and prescribe fees related to the issuance of a license under this section that is limited in scope to an applicant by virtue of the applicant's conceded eminence and authority in the applicant's profession. This bill also allows TSBME to adopt certain other rules relating to the issuance of a limited license and authorizes TSBME to require that the holder of a license under this section serve a six-month probationary period during which medical services provided by the license holder are supervised by another licensed physician.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas State Board of Medical Examiners in SECTION 1 (Section 155.006, Occupations Code) of this bill.

### **ANALYSIS**

Amends Subchapter A, Chapter 155, Occupations Code, by adding Section 155.006, as follows:

Sec. 155.006. ISSUANCE OF LIMITED LICENSE. (a) Authorizes the Texas State Board of Medical Examiners (TSBME) to adopt rules and prescribe fees related to the issuance of a license under this section that is limited in scope to an applicant by virtue of the applicant's conceded eminence and authority in the applicant's profession.

(b) Provides that an applicant is eligible for a limited license under this section on presenting proof satisfactory to TSBME that the applicant meets certain criteria.

(c) Authorizes TSBME, in adopting rules under this section, to adopt rules that prescribe additional qualifications for an applicant, including education and examination requirements, conditions of employment, and application procedures. Authorizes TSBME, by rule, to qualify, restrict, or otherwise limit a license issued under this section.

(d) Authorizes TSBME, by rule, to define "conceded eminence and authority in the applicant's profession." Requires TSBME, in adopting rules under this subsection, to consider certain criteria.

(e) Authorizes TSBME to require that the holder of a license under this section serve a six-month probationary period during which medical services provided by the license holder are supervised by another licensed physician.

Requires TSBME to adopt rules necessary to implement the requirements of Section 155.006, Occupations Code, as added by this Act, not later than March 1, 2004.

### **EFFECTIVE DATE**

September 1, 2003