

By: Harris

S.B. No. 208

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the contents of physician profiles created by the Texas
3 State Board of Medical Examiners.

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

5 SECTION 1. Sections 154.006(b) and (e), Occupations Code,
6 are amended to read as follows:

7 (b) A profile must contain the following information on each
8 physician:

9 (1) the name of each medical school attended and the
10 dates of:

11 (A) graduation; or

12 (B) Fifth Pathway designation and completion of
13 the Fifth Pathway Program;

14 (2) a description of all graduate medical education in
15 the United States or Canada;

16 (3) any specialty certification held by the physician
17 and issued by a medical licensing board that is a member of the
18 American Board of Medical Specialties or the Bureau of Osteopathic
19 Specialists;

20 (4) the number of years the physician has actively
21 practiced medicine in:

22 (A) the United States or Canada; and

23 (B) this state;

24 (5) the name of each hospital in this state in which

1 the physician has privileges;

2 (6) the physician's primary practice location;

3 (7) the type of language translating services,
4 including translating services for a person with impairment of
5 hearing, that the physician provides at the physician's primary
6 practice location;

7 (8) whether the physician participates in the Medicaid
8 program;

9 (9) ~~[a description of any conviction for a felony, a
10 Class A or Class B misdemeanor, or a Class C misdemeanor involving
11 moral turpitude during the 10-year period preceding the date of the
12 profile;~~

13 ~~[(10) a description of any charges reported to the
14 board during the 10-year period preceding the date of the profile to
15 which the physician has pleaded no contest, for which the physician
16 is the subject of deferred adjudication or pretrial diversion, or
17 in which sufficient facts of guilt were found and the matter was
18 continued by a court;~~

19 ~~[(11)]~~ a description of any final disciplinary action
20 against the physician by the board during the 10-year period
21 preceding the date of the profile, including any final disciplinary
22 action taken by the board on medical malpractice claims or
23 complaints required to be reviewed by the board under Section
24 164.201;

25 (10) ~~[(12)]~~ a description of any final public
26 disciplinary action against the physician by a medical licensing
27 board of another state during the 10-year period preceding the date

1 of the profile; and

2 (11) [~~(13)~~ a description of the final resolution taken
3 by the board on medical malpractice claims or complaints required
4 to be opened by the board under Section 164.201;

5 [~~(14)~~] whether the physician's patient service areas
6 are accessible to disabled persons, as defined by federal law[~~, and~~

7 [~~(15)~~ a description of any formal complaint against
8 the physician initiated and filed under Section 164.005 and the
9 status of the complaint].

10 (e) A pending malpractice claim or complaint, other than a
11 claim disclosed under Subsection (b)(9) [~~(b)(13)~~], may not be
12 disclosed to the public by the board. This subsection does not
13 prevent the board from investigating and disciplining a physician
14 on the basis of a pending medical malpractice claim or complaint.

15 SECTION 2. This Act takes effect September 1, 2003.