

By: Madla, Shapleigh, Lucio

S.B. No. 558

A BILL TO BE ENTITLED

AN ACT

relating to immigration visa waivers for physicians.

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

SECTION 1. Subchapter B, Chapter 12, Health and Safety Code, is amended by adding Section 12.0127 to read as follows:

Sec. 12.0127. IMMIGRATION VISA WAIVERS FOR PHYSICIANS. The department, in accordance with 8 U.S.C. Section 1182(e), as amended, under exceptions provided by 8 U.S.C. Section 1184(l), as amended, may request waiver of the 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 States Department of Health and Human Services, that has a current shortage of physicians.

SECTION 2. Subsection (a), Section 155.1025, Occupations Code, is amended to read as follows:

(a) The board shall adopt rules for expediting any application for a license under this subtitle made by a person who is licensed to practice medicine in another state or country and who submits an affidavit with the application stating that:

(1) the applicant intends to practice in a rural community, as determined by the Office of Rural Community Affairs [~~Center for Rural Health Initiatives~~]; or

(2) the applicant intends to practice medicine[+]

1           ~~[(A) accept employment with an entity located]~~ in  
2 a medically underserved area or health professional shortage area,  
3 designated by the United States Department of Health and Human  
4 Services, that has a current shortage of physicians ~~[and affiliated~~  
5 ~~with or participating in a public university-sponsored graduate~~  
6 ~~medical education program,~~

7           ~~[(B) serve on the faculty of the public~~  
8 ~~university-sponsored graduate medical education program, and~~

9           ~~[(C) engage in the practice of medicine and~~  
10 ~~teaching in a specialty field of medicine that is necessary to~~  
11 ~~obtain or maintain the accreditation of the public~~  
12 ~~university-sponsored graduate medical education program by the~~  
13 ~~Accreditation Council for Graduate Medical Education].~~

14           SECTION 3. Section 51.949, Education Code, as added by  
15 Chapter 1293, Acts of the 77th Legislature, Regular Session, 2001,  
16 is repealed.

17           SECTION 4. This Act takes effect September 1, 2003.

COMMITTEE AMENDMENT NO. 1

Amend S.B. 558 (engrossed version) as follows:

(1) In SECTION 1 of the bill, in proposed Section 12.0127, Health and Safety Code (page 1, line 6), between "PHYSICIANS." and "The" insert "(a)".

(2) In SECTION 1 of the bill, in proposed Section 12.0127, Health and Safety Code (page 1, between lines 14 and 15), insert a new Subsection (b) to read as follows:

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

(3) In SECTION 2 of the bill, in amended Subsection (a), Section 155.1025, Occupations Code (page 1, line 24), strike "(2) the applicant intends to practice medicine [+]" and substitute the following:

(2) the applicant:

(A) has requested and is eligible for an immigration visa waiver as described by Section 12.0127, Health and Safety Code; and

(B) intends to practice medicine [+]