

1-1 By: Carona S.B. No. 788
1-2 (In the Senate - Filed February 28, 2003; March 5, 2003,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; May 16, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0,
1-6 1 present not voting; May 16, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 788 By: Carona

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the issuance of a limited license to practice medicine
1-11 to certain applicants.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 155, Occupations Code, is
1-14 amended by adding Section 155.006 to read as follows:

1-15 Sec. 155.006. ISSUANCE OF LIMITED LICENSE. (a) The board
1-16 may adopt rules and prescribe fees related to the issuance of a
1-17 license under this section that is limited in scope to an applicant
1-18 by virtue of the applicant's conceded eminence and authority in the
1-19 applicant's profession.

1-20 (b) An applicant is eligible for a limited license under
1-21 this section on presenting proof satisfactory to the board that the
1-22 applicant:

1-23 (1) is recommended to the board by the dean,
1-24 president, or chief academic officer of:

1-25 (A) a school of medicine in this state;

1-26 (B) The University of Texas Health Center at
1-27 Tyler;

1-28 (C) The University of Texas M.D. Anderson Cancer
1-29 Center; or

1-30 (D) a program of graduate medical education,
1-31 accredited by the Accreditation Council for Graduate Medical
1-32 Education or the American Osteopathic Association, that exceeds the
1-33 requirements for eligibility for first board certification in the
1-34 discipline;

1-35 (2) is expected to receive an appointment at the
1-36 institution or program making the recommendation under Subdivision
1-37 (1); and

1-38 (3) meets any other requirements prescribed by board
1-39 rule adopted under this section.

1-40 (c) In adopting rules under this section, the board may
1-41 adopt rules that prescribe additional qualifications for an
1-42 applicant, including education and examination requirements,
1-43 conditions of employment, and application procedures. The board by
1-44 rule may qualify, restrict, or otherwise limit a license issued
1-45 under this section.

1-46 (d) The board by rule may define "conceded eminence and
1-47 authority in the applicant's profession." In adopting rules under
1-48 this subsection, the board shall consider criteria that include a
1-49 person's:

1-50 (1) academic appointments;

1-51 (2) length of time in a profession;

1-52 (3) scholarly publications; and

1-53 (4) professional accomplishments.

1-54 (e) The board may require that the holder of a license under
1-55 this section serve a six-month probationary period during which
1-56 medical services provided by the license holder are supervised by
1-57 another licensed physician.

1-58 SECTION 2. (a) This Act takes effect September 1, 2003.

1-59 (b) The Texas State Board of Medical Examiners shall adopt
1-60 rules necessary to implement the requirements of Section 155.006,
1-61 Occupations Code, as added by this Act, not later than March 1,
1-62 2004.

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