

By: Lucio

S.B. No. 721

A BILL TO BE ENTITLED

AN ACT

relating to establishing a health science center and medical school
in the Rio Grande Valley.

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

SECTION 1. Subchapter L, Chapter 74, Education Code, is
amended to read as follows:

SUBCHAPTER L. THE UNIVERSITY OF TEXAS HEALTH SCIENCE
CENTER-- [LOWER] RIO GRANDE VALLEY [ACADEMIC HEALTH CENTER]

Sec. 74.611. HEALTH SCIENCE [AUTHORITY TO ESTABLISH OR
PARTICIPATE IN] CENTER. (a) The board of regents of The University
of Texas System shall operate The University of Texas Health
Science Center--Rio Grande Valley as a component institution of The
University of Texas System with its main campus and administrative
offices in the Harlingen metropolitan area. The health science
center consists of a medical school, other health and
health-related degree programs, and related programs and
facilities as the board considers appropriate.

(b) The board of regents may include facilities located in
[may establish a regional academic health center serving] Cameron,
Hidalgo, Starr, and Willacy Counties in the health science center
[counties,] and may operate programs and activities and provide
related services of the center [include any medical institutions
for participation in the program] in those [the aforementioned]
counties [if general revenue funds are specifically appropriated

1 ~~by the legislature for that purpose. The center may consist of~~
2 ~~facilities located throughout the region].~~

3 (c) In accordance with Section 18(c), Article VII, Texas
4 Constitution, if the Act enacting this section receives a vote of
5 two-thirds of all the members elected to each house of the
6 legislature, the institution created by this section is entitled to
7 participate in the funding provided by Section 18, Article VII,
8 Texas Constitution, for The University of Texas System.

9 Sec. 74.612. COURSES AND DEGREES; RULES. The board of
10 regents may prescribe courses leading to customary degrees and may
11 adopt rules for the operation, control, and management of the
12 health science center as may be necessary for the conduct of a
13 medical school and other health science center programs of the
14 first class.

15 Sec. 74.613. AFFILIATION AGREEMENTS; JOINT APPOINTMENTS.

16 (a) The board of regents may execute and carry out affiliation or
17 coordination agreements with any other entity or institution in the
18 region to [establish or to] participate in the health science
19 center [establishment or operation of the center, which includes
20 all traditional and all other providers of health services to the
21 counties listed in this subsection].

22 (b) The board of regents may make joint appointments in the
23 health science center and other institutions under the board's
24 governance. The salary of a person who receives a joint appointment
25 shall be apportioned to the appointing institutions on the basis of
26 services rendered.

27 ~~[(b) The board of regents may assign responsibility for the~~

1 ~~management of the regional academic health center to any component~~
2 ~~institution or institutions of The University of Texas System. The~~
3 ~~operating costs of the regional academic health center shall be~~
4 ~~paid from operating funds of the component institution and from~~
5 ~~available funds of any other public or private entity.~~

6 ~~[(c) The regional academic health center may be used to~~
7 ~~provide undergraduate clinical education, graduate education,~~
8 ~~including residency training programs, or other levels of medical~~
9 ~~education work in the counties identified in Subsection (a) in~~
10 ~~connection with any component institution or institutions of The~~
11 ~~University of Texas System as the board of regents determines~~
12 ~~appropriate.]~~

13 Sec. 74.614 [~~74.612~~]. GIFTS AND GRANTS. The board of
14 regents may accept and administer gifts and grants from any public
15 or private person or entity for the use and benefit of the [~~regional~~
16 ~~academic~~] health science center.

17 Sec. 74.615 [~~74.613~~]. OTHER FACILITIES. In addition to the
18 facilities of the health science center, the board of regents may
19 enter into agreements under which additional [~~The physical~~]
20 facilities [~~of the regional academic health center~~] used in the
21 center's [~~its~~] teaching and research programs, including
22 libraries, auditoriums, research facilities, and medical education
23 buildings, may be provided by a public or private entity. [~~A~~
24 ~~physical facility may be constructed, maintained, or operated with~~
25 ~~state money appropriated for that purpose.~~]

26 Sec. 74.616 [~~74.614~~]. TEACHING HOSPITAL. A teaching
27 hospital considered suitable by the board of regents for the health

1 science center may be provided by a public or private entity. The
2 hospital may not be constructed, maintained, or operated with state
3 funds.

4 Sec. 74.617 [~~74.615~~]. COORDINATING BOARD SUPERVISION. The
5 [~~regional academic~~] health science center is subject to the
6 continuing supervision of the Texas Higher Education Coordinating
7 Board under Chapter 61 and to the rules of the coordinating board
8 adopted under Chapter 61.

9 SECTION 2. Section 55.1732, Education Code, is amended by
10 adding Subsection (e) to read as follows:

11 (e) Bonds authorized or issued under this section for the
12 regional academic health center established under Section 74.611
13 are considered to have been authorized or issued for The University
14 of Texas Health Science Center--Rio Grande Valley when that
15 institution is established.

16 SECTION 3. Section 61.003(5), Education Code, is amended to
17 read as follows:

18 (5) "Medical and dental unit" means The University of
19 Texas Medical Branch at Galveston; The University of Texas
20 Southwestern Medical Center at Dallas; The University of Texas
21 Medical School at San Antonio; The University of Texas Dental
22 Branch at Houston; The University of Texas M.D. Anderson Cancer
23 Center; The University of Texas Graduate School of Biomedical
24 Sciences at Houston; The University of Texas Dental School at San
25 Antonio; The University of Texas Medical School at Houston; The
26 University of Texas Health Science Center--Rio Grande Valley; the
27 nursing institutions of The University of Texas System; and The

1 University of Texas School of Public Health at Houston; and such
2 other medical or dental schools as may be established by statute or
3 as provided in this chapter.

4 SECTION 4. Section 63.002(c), Education Code, is amended to
5 read as follows:

6 (c) The amount available for distribution from the fund may
7 be appropriated only for programs that benefit medical research,
8 health education, or treatment programs at the following
9 health-related institutions of higher education:

10 (1) The University of Texas Health Science Center at
11 San Antonio;

12 (2) The University of Texas M. D. Anderson Cancer
13 Center;

14 (3) The University of Texas Southwestern Medical
15 Center at Dallas;

16 (4) The University of Texas Medical Branch at
17 Galveston;

18 (5) The University of Texas Health Science Center at
19 Houston;

20 (6) The University of Texas Health Science Center at
21 Tyler;

22 (7) The University of Texas Health Science Center--Rio
23 Grande Valley;

24 (8) The Texas A&M University Health Science Center;

25 (9) [~~(8)~~] the University of North Texas Health Science
26 Center at Fort Worth;

27 (10) [~~(9)~~] the Texas Tech University Health Sciences

1 Center; and

2 (11) [~~(10)~~] Baylor College of Medicine, if a contract
3 between Baylor College of Medicine and the Texas Higher Education
4 Coordinating Board is in effect under Section 61.092.

5 SECTION 5. Section 63.101(a), Education Code, is amended to
6 read as follows:

7 (a) A separate permanent endowment fund is established for
8 the benefit of each of the following institutions of higher
9 education:

10 (1) The University of Texas Health Science Center at
11 San Antonio;

12 (2) The University of Texas M. D. Anderson Cancer
13 Center;

14 (3) The University of Texas Southwestern Medical
15 Center at Dallas;

16 (4) The University of Texas Medical Branch at
17 Galveston;

18 (5) The University of Texas Health Science Center at
19 Houston;

20 (6) The University of Texas Health Science Center at
21 Tyler;

22 (7) The University of Texas at El Paso;

23 (8) The Texas A&M University Health Science Center;

24 (9) the University of North Texas Health Science
25 Center at Fort Worth;

26 (10) the components of the Texas Tech University
27 Health Sciences Center located in El Paso;

1 (11) the components of the Texas Tech University
2 Health Sciences Center at locations other than El Paso;

3 (12) The University of Texas Health Science
4 Center--Rio Grande Valley [~~the regional academic health center~~
5 ~~established under Section 74.611~~]; and

6 (13) Baylor College of Medicine, if a contract between
7 Baylor College of Medicine and the Texas Higher Education
8 Coordinating Board is in effect under Section 61.092.

9 SECTION 6. Section 65.02(a), Education Code, is amended to
10 read as follows:

11 (a) The University of Texas System is composed of the
12 following institutions and entities:

13 (1) The University of Texas at Arlington, including:

14 (A) The University of Texas Institute of Urban
15 Studies at Arlington; and

16 (B) The University of Texas School of Nursing at
17 Arlington;

18 (2) The University of Texas at Austin, including:

19 (A) The University of Texas Marine Science
20 Institute;

21 (B) The University of Texas McDonald Observatory
22 at Mount Locke; and

23 (C) The University of Texas School of Nursing at
24 Austin;

25 (3) The University of Texas at Dallas;

26 (4) The University of Texas at El Paso, including The
27 University of Texas School of Nursing at El Paso;

1 (5) The University of Texas of the Permian Basin;

2 (6) The University of Texas at San Antonio, including
3 the University of Texas Institute of Texan Cultures at San Antonio;

4 (7) The University of Texas Southwestern Medical
5 Center at Dallas, including:

6 (A) The University of Texas Southwestern Medical
7 School at Dallas;

8 (B) The University of Texas Southwestern
9 Graduate School of Biomedical Sciences at Dallas; and

10 (C) The University of Texas Southwestern Allied
11 Health Sciences School at Dallas;

12 (8) The University of Texas Medical Branch at
13 Galveston, including:

14 (A) The University of Texas Medical School at
15 Galveston;

16 (B) The University of Texas Graduate School of
17 Biomedical Sciences at Galveston;

18 (C) The University of Texas School of Allied
19 Health Sciences at Galveston;

20 (D) The University of Texas Marine Biomedical
21 Institute at Galveston;

22 (E) The University of Texas Hospitals at
23 Galveston; and

24 (F) The University of Texas School of Nursing at
25 Galveston;

26 (9) The University of Texas Health Science Center at
27 Houston, including:

1 (A) The University of Texas Medical School at
2 Houston;

3 (B) The University of Texas Dental Branch at
4 Houston;

5 (C) The University of Texas Graduate School of
6 Biomedical Sciences at Houston;

7 (D) The University of Texas School of Health
8 Information Sciences at Houston;

9 (E) The University of Texas School of Public
10 Health at Houston;

11 (F) The University of Texas Speech and Hearing
12 Institute at Houston; and

13 (G) The University of Texas School of Nursing at
14 Houston;

15 (10) The University of Texas Health Science Center at
16 San Antonio, including:

17 (A) The University of Texas Medical School at San
18 Antonio;

19 (B) The University of Texas Dental School at San
20 Antonio;

21 (C) The University of Texas Graduate School of
22 Biomedical Sciences at San Antonio;

23 (D) The University of Texas School of Allied
24 Health Sciences at San Antonio; and

25 (E) The University of Texas School of Nursing at
26 San Antonio;

27 (11) The University of Texas M. D. Anderson Cancer

1 Center, including:

2 (A) The University of Texas M. D. Anderson
3 Hospital;

4 (B) The University of Texas M. D. Anderson Tumor
5 Institute; and

6 (C) The University of Texas M. D. Anderson
7 Science Park; and

8 (12) The University of Texas Health Science
9 Center--Rio Grande Valley.

10 SECTION 7. (a) The board of regents of The University of
11 Texas System shall convert the regional academic health center
12 established under Subchapter L, Chapter 74, Education Code, as that
13 subchapter existed before the effective date of this Act, into The
14 University of Texas Health Science Center--Rio Grande Valley and
15 establish a medical school at the health science center after this
16 Act takes effect as soon as the board considers appropriate
17 considering available resources and the best interests of The
18 University of Texas System and the people of this state and the
19 Lower Rio Grande Valley, but not later than the 2007-2008 academic
20 year. In establishing the health science center and medical
21 school, the board of regents shall ensure that the existing
22 programs, students, and faculty and staff of the regional academic
23 health center are not affected other than as the board considers
24 necessary to implement this Act.

25 (b) It is the intent of the legislature that The University
26 of Texas Health Science Center--Rio Grande Valley be established by
27 conversion of the regional academic health center established under

1 Subchapter L, Chapter 74, Education Code, as that subchapter
2 existed before the effective date of this Act, and that those
3 entities be considered to be the same institution. A reference in
4 law to the regional academic health center applies to The
5 University of Texas Health Science Center--Rio Grande Valley to the
6 extent it can be made applicable. All contracts and agreements,
7 including bonds and other financial obligations, entered into by
8 The University of Texas System or any of its officers or employees
9 relating to the regional academic health center apply to The
10 University of Texas Health Science Center--Rio Grande Valley when
11 the health science center is established.

12 (c) The permanent endowment fund established under Section
13 63.101, Education Code, for the benefit of the regional academic
14 health center established under Subchapter L, Chapter 74, Education
15 Code, as that subchapter existed before the effective date of this
16 Act, is transferred to the benefit of The University of Texas Health
17 Science Center--Rio Grande Valley when the health science center is
18 established. It is the intent of the legislature that the transfer
19 of the endowment fund be made so as not to interrupt the research or
20 other programs supported by distributions from the fund.

21 SECTION 8. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2005.