

BILL ANALYSIS

C.S.S.B. 30
By: Nelson
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, 46 percent of Texas counties are classified as health professional shortage areas. Current law stipulates that a person who holds a J-1 visa must practice medicine in an underserved area for three years, while a person who holds an H1B visa is not required to practice medicine in an underserved area.

As proposed, C.S.S.B. 30 requires an applicant for a medical license in Texas who is not a United States citizen or permanent resident to meet certain additional eligibility requirements.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Medical Board in SECTION 1 and 2 of this bill.

ANALYSIS

CSSB 30 provides that a license applicant who is not a United States (US) citizen or an alien lawfully admitted for permanent residence in the U.S. (applicant) must present satisfactory proof to the Texas Medical Board (board) that the applicant has practiced medicine or signed an agreement to practice medicine as a condition of the license for at least three years in an area in Texas designated by the United States Department of Health and Human Services (USDHHS) as a health professional shortage area or a medically underserved area. CSSB 30 provides that Section 155.0045(a) of the Occupations Code does not prohibit the board from issuing a license to an applicant who is applying for a physician-in-training permit that allows participation in a graduate medical education training program in Texas or applying to practice medicine as faculty member at certain medical and dental units of an institution of higher education or certain medical schools. CSSB 30 requires the board to adopt rules and procedures to implement this section, including rules to determine whether the applicant is complying with certain agreements. CSSB 30 authorizes the board, by rule, to limit the license to practice medicine of an applicant to an area in Texas that is designated by the USDHHS as a health professional shortage area or medically underserved area. The board is required to adopt rules necessary for implementation of this section not later than May 1, 2008.

EFFECTIVE DATE

Effective date: September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

S.B. 30 provided that Section 155.0045(a) of the Occupation Code does not prohibit the board from issuing a license to an applicant who is applying for a license to practice medicine at a graduate medical training program in Texas that is not in an area designated by the USDHHS as a health professional shortage area or a medically underserved area, whereas, CSSB 30 provides that subsection (a) does not prohibit the board from issuing a license to an applicant who is applying for a physician-in-training permit that allows participation in a graduate medical education training program in Texas or applying to practice medicine as faculty member at certain medical and dental units of an institution of higher education or certain medical schools.