

By: Lucio III

H.B. No. 2386

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 including:

(1) research and training facilities in support of the
health science center at The University of Texas-Pan American and
The University of Texas at Brownsville; and

(2) additional research programs and facilities in the
Edinburg metropolitan area.

(b) The board of regents may include facilities located in
Brooks, [may establish a regional academic health center serving]

1 Cameron, Hidalgo, Jim Hogg, Kenedy, Starr, [and] Willacy, and
2 Zapata Counties in the health science center [counties,] and may
3 operate programs and activities and provide related services of the
4 center [include any medical institutions for participation in the
5 program] in those [the aforementioned] counties [if general
6 revenue funds are specifically appropriated by the legislature for
7 that purpose. The center may consist of facilities located
8 throughout the region].

9 (c) The board of regents shall require that courses for the
10 first two years of a degree program preparing students for
11 licensure as physicians that is offered by the health science
12 center be held at The University of Texas at Brownsville. Other
13 courses for the program must be held at the main campus of the
14 health science center except as otherwise necessary to operate the
15 program.

16 Sec. 74.612. PARTICIPATION IN AVAILABLE UNIVERSITY FUND.
17 In accordance with Section 18(c), Article VII, Texas Constitution,
18 if the Act enacting this section receives a vote of two-thirds of
19 all the members elected to each house of the legislature, the
20 institution created by this section is entitled to participate in
21 the funding provided by Section 18, Article VII, Texas
22 Constitution, for The University of Texas System.

23 Sec. 74.613. COURSES AND DEGREES; RULES. The board of
24 regents may prescribe courses leading to customary degrees and may
25 adopt rules for the operation, control, and management of the
26 health science center as may be necessary for the conduct of a
27 medical school and other health science center programs of the

1 first class.

2 Sec. 74.614. AFFILIATION AGREEMENTS; JOINT APPOINTMENTS.

3 (a) The board of regents may execute and carry out affiliation or
4 coordination agreements with any other entity or institution in the
5 region, including The University of Texas-Pan American and The
6 University of Texas at Brownsville, to [establish or to]
7 participate in the health science center [establishment or
8 operation of the center, which includes all traditional and all
9 other providers of health services to the counties listed in this
10 subsection].

11 (b) The board of regents may make joint appointments in the
12 health science center and other institutions under the board's
13 governance. The salary of a person who receives a joint appointment
14 shall be apportioned to the appointing institutions on the basis of
15 services rendered.

16 ~~[(b) The board of regents may assign responsibility for the~~
17 ~~management of the regional academic health center to any component~~
18 ~~institution or institutions of The University of Texas System. The~~
19 ~~operating costs of the regional academic health center shall be~~
20 ~~paid from operating funds of the component institution and from~~
21 ~~available funds of any other public or private entity.~~

22 ~~[(c) The regional academic health center may be used to~~
23 ~~provide undergraduate clinical education, graduate education,~~
24 ~~including residency training programs, or other levels of medical~~
25 ~~education work in the counties identified in Subsection (a) in~~
26 ~~connection with any component institution or institutions of The~~
27 ~~University of Texas System as the board of regents determines~~

1 ~~appropriate.]~~

2 Sec. 74.615 [~~74.612~~]. GIFTS AND GRANTS. The board of
3 regents may accept and administer gifts and grants from any public
4 or private person or entity for the use and benefit of the [~~regional~~
5 ~~academic~~] health science center.

6 Sec. 74.616 [~~74.613~~]. OTHER FACILITIES. In addition to the
7 facilities of the health science center, the board of regents may
8 enter into agreements under which additional [~~The physical~~]
9 facilities [~~of the regional academic health center~~] used in the
10 center's [~~its~~] teaching and research programs, including
11 libraries, auditoriums, research facilities, and medical education
12 buildings, may be provided by a public or private entity. [~~A~~
13 ~~physical facility may be constructed, maintained, or operated with~~
14 ~~state money appropriated for that purpose.]~~

15 Sec. 74.617 [~~74.614~~]. TEACHING HOSPITAL. A teaching
16 hospital considered suitable by the board of regents for the health
17 science center may be provided by a public or private entity. The
18 hospital may not be constructed, maintained, or operated with state
19 funds.

20 Sec. 74.618 [~~74.615~~]. COORDINATING BOARD SUPERVISION. The
21 [~~regional academic~~] health science center is subject to the
22 continuing supervision of the Texas Higher Education Coordinating
23 Board under Chapter 61 and to the rules of the coordinating board
24 adopted under Chapter 61.

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

27 (e) Bonds authorized or issued under this section for the

1 regional academic health center established under Section 74.611
2 are considered to have been authorized or issued for The University
3 of Texas Health Science Center--Rio Grande Valley when that
4 institution is established.

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

7 (5) "Medical and dental unit" means The University of
8 Texas Medical Branch at Galveston; The University of Texas
9 Southwestern Medical Center at Dallas; The University of Texas
10 Medical School at San Antonio; The University of Texas Dental
11 Branch at Houston; The University of Texas M.D. Anderson Cancer
12 Center; The University of Texas Graduate School of Biomedical
13 Sciences at Houston; The University of Texas Dental School at San
14 Antonio; The University of Texas Medical School at Houston; The
15 University of Texas Health Science Center--Rio Grande Valley; the
16 nursing institutions of The University of Texas System; and The
17 University of Texas School of Public Health at Houston; and such
18 other medical or dental schools as may be established by statute or
19 as provided in this chapter.

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

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

26 (1) The University of Texas Health Science Center at
27 San Antonio;

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

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

5 (4) The University of Texas Medical Branch at
6 Galveston;

7 (5) The University of Texas Health Science Center at
8 Houston;

9 (6) The University of Texas Health Science Center at
10 Tyler;

11 (7) The University of Texas Health Science Center--Rio
12 Grande Valley;

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

14 (9) [~~(8)~~] the University of North Texas Health Science
15 Center at Fort Worth;

16 (10) [~~(9)~~] the Texas Tech University Health Sciences
17 Center; and

18 (11) [~~(10)~~] Baylor College of Medicine, if a contract
19 between Baylor College of Medicine and the Texas Higher Education
20 Coordinating Board is in effect under Section 61.092.

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

23 (a) A separate permanent endowment fund is established for
24 the benefit of each of the following institutions of higher
25 education:

26 (1) The University of Texas Health Science Center at
27 San Antonio;

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

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

5 (4) The University of Texas Medical Branch at
6 Galveston;

7 (5) The University of Texas Health Science Center at
8 Houston;

9 (6) The University of Texas Health Science Center at
10 Tyler;

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

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

13 (9) the University of North Texas Health Science
14 Center at Fort Worth;

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

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

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

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

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

27 (a) The University of Texas System is composed of the

1 following institutions and entities:

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

3 (A) The University of Texas Institute of Urban
4 Studies at Arlington; and

5 (B) The University of Texas School of Nursing at
6 Arlington;

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

8 (A) The University of Texas Marine Science
9 Institute;

10 (B) The University of Texas McDonald Observatory
11 at Mount Locke; and

12 (C) The University of Texas School of Nursing at
13 Austin;

14 (3) The University of Texas at Dallas;

15 (4) The University of Texas at El Paso, including The
16 University of Texas School of Nursing at El Paso;

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

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

20 (7) The University of Texas Southwestern Medical
21 Center at Dallas, including:

22 (A) The University of Texas Southwestern Medical
23 School at Dallas;

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

26 (C) The University of Texas Southwestern Allied
27 Health Sciences School at Dallas;

1 (8) The University of Texas Medical Branch at
2 Galveston, including:

3 (A) The University of Texas Medical School at
4 Galveston;

5 (B) The University of Texas Graduate School of
6 Biomedical Sciences at Galveston;

7 (C) The University of Texas School of Allied
8 Health Sciences at Galveston;

9 (D) The University of Texas Marine Biomedical
10 Institute at Galveston;

11 (E) The University of Texas Hospitals at
12 Galveston; and

13 (F) The University of Texas School of Nursing at
14 Galveston;

15 (9) The University of Texas Health Science Center at
16 Houston, including:

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

19 (B) The University of Texas Dental Branch at
20 Houston;

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

23 (D) The University of Texas School of Health
24 Information Sciences at Houston;

25 (E) The University of Texas School of Public
26 Health at Houston;

27 (F) The University of Texas Speech and Hearing

1 Institute at Houston; and

2 (G) The University of Texas School of Nursing at
3 Houston;

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

6 (A) The University of Texas Medical School at San
7 Antonio;

8 (B) The University of Texas Dental School at San
9 Antonio;

10 (C) The University of Texas Graduate School of
11 Biomedical Sciences at San Antonio;

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

14 (E) The University of Texas School of Nursing at
15 San Antonio;

16 (11) The University of Texas M. D. Anderson Cancer
17 Center, including:

18 (A) The University of Texas M. D. Anderson
19 Hospital;

20 (B) The University of Texas M. D. Anderson Tumor
21 Institute; and

22 (C) The University of Texas M. D. Anderson
23 Science Park; and

24 (12) The University of Texas Health Science
25 Center--Rio Grande Valley.

26 SECTION 7. (a) The board of regents of The University of
27 Texas System shall convert the regional academic health center

1 established under Subchapter L, Chapter 74, Education Code, as that
2 subchapter existed before the effective date of this Act, into The
3 University of Texas Health Science Center--Rio Grande Valley and
4 establish a medical school at the health science center after this
5 Act takes effect as soon as the board considers appropriate
6 considering available resources and the best interests of The
7 University of Texas System and the people of this state and the
8 Lower Rio Grande Valley, but not later than the 2009-2010 academic
9 year. In establishing the health science center and medical
10 school, the board of regents shall ensure that the existing
11 programs, students, and faculty and staff of the regional academic
12 health center are not affected other than as the board considers
13 necessary to implement this Act.

14 (b) It is the intent of the legislature that The University
15 of Texas Health Science Center--Rio Grande Valley be established by
16 conversion of the regional academic health center established under
17 Subchapter L, Chapter 74, Education Code, as that subchapter
18 existed before the effective date of this Act, and that those
19 entities be considered to be the same institution. A reference in
20 law to the regional academic health center applies to The
21 University of Texas Health Science Center--Rio Grande Valley to the
22 extent it can be made applicable. All contracts and agreements,
23 including bonds and other financial obligations, entered into by
24 The University of Texas System or any of its officers or employees
25 relating to the regional academic health center apply to The
26 University of Texas Health Science Center--Rio Grande Valley when
27 the health science center is established.

1 (c) The permanent endowment fund established under Section
2 63.101, Education Code, for the benefit of the regional academic
3 health center established under Subchapter L, Chapter 74, Education
4 Code, as that subchapter existed before the effective date of this
5 Act, is transferred to the benefit of The University of Texas Health
6 Science Center--Rio Grande Valley when the health science center is
7 established. It is the intent of the legislature that the transfer
8 of the endowment fund be made so as not to interrupt the research or
9 other programs supported by distributions from the fund.

10 SECTION 8. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2007.