

BILL ANALYSIS

C.S.H.B. 3674
By: Thompson
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Applicants for licensure to practice medicine who are graduates from schools outside the U.S. and Canada currently must be eligible for licensure in the country of graduation in order to be licensed in Texas. This requirement is sometimes an obstacle to licensure in Texas, and generally adds no value to the process of ensuring a physician's qualifications to practice medicine. When this statute was originally enacted, the off-shore medical school business had recently begun and was booming. Some countries authorized off-shore schools more as businesses than as educational programs. It was thought that if an off-shore medical school's graduates were considered good enough for licensure by the country in which the school was located, it would be one more factor to rely on to ensure that Texas licenses only qualified physicians.

As time has passed, it appears that many off-shore schools have been able to obtain proper documentation from the country where the school is located, and such documentation has not proven the distinguishing factor as anticipated. The requirement is no longer helpful in selecting only physicians with adequate education; it represents another step in the licensure process. Other Texas licensure requirements regarding education, postgraduate training, and licensure examinations ensure protection of the public without the need for licensure in the country of graduation from medical school.

C.S.H.B. 3674 removes the condition that the oath required of applicants for a license to practice medicine in Texas be subscribed to in writing before an officer authorized by law to administer oaths, and adds options for the proof of qualifications required to be submitted to the Texas Medical Board by applicants for a license to practice medicine. The bill removes the requirement that an applicant for a license to practice medicine who graduated from a medical school outside the United States and Canada present proof to the Texas Medical Board that the applicant is eligible for a license to practice medicine in the country in which the school is located.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3674 amends the Occupations Code to remove the condition that the oath required of applicants for a license to practice medicine be subscribed to in writing before an officer authorized by law to administer oaths. The bill adds as an alternative to proof required to be presented to the Texas Medical Board that each medical school attended by an applicant is substantially equivalent to a Texas medical school the option for an applicant to present proof that the applicant is specialty board certified by a specialty board organization acceptable to the Texas Medical Board.

C.S.H.B. 3674 adds as an alternative to proof of certain qualifications required to be submitted to the board by a license applicant who is a graduate of a medical school outside the United States and Canada the option for such an applicant to submit proof that the applicant successfully completed at least two years of graduate medical training in the United States or Canada that was approved by the board and at least one year of graduate medical training outside the United States or Canada that was approved for advanced standing by a specialty board organization approved by the board. The bill removes the requirement that such an applicant present proof satisfactory to the board that the applicant is eligible for a license to practice medicine in the country in which the school is located, except for any citizenship requirements.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3674 differs from the original by removing the condition that the oath required of applicants for a license to practice medicine be subscribed to in writing before an officer authorized by law to administer oaths, adding proof of specialty certification as an alternative to proof of qualifications required to be submitted to the board, and adding proof of graduate medical training and advanced specialty standing as an alternative to the proof of qualifications required to be submitted by certain applicants for a license to practice medicine. The substitute differs from the original by making its provisions effective on September 1, 2009, rather than immediately on passage if it receives the necessary vote, or September 1, 2009, as in the original.