

BILL ANALYSIS

S.B. 86
By: Nelson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, 46 percent of Texas counties are classified as Health Professional Shortage Areas (HPSA). Current law requires people who enter the United States and hold J-1 visas, as part of an exchange visit or program, to practice medicine in a medical school or in an underserved area for three years. The law does not require a person with an H-1B visa, which allows U.S. employers to temporarily employ foreign workers in specialty occupations, to meet such a requirement.

S.B. 86 requires an applicant for a Texas medical license who is not a U.S. citizen or permanent resident to practice medicine at a medical school or practice in a medically underserved area or in an HPSA for at least three years.

RULEMAKING AUTHORITY

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

ANALYSIS

S.B. 86 amends the Occupations Code to require an applicant for a license to practice medicine who is not a United States citizen or an alien lawfully admitted for permanent residence in the United States to present proof satisfactory to the Texas Medical Board that the applicant has practiced medicine or has signed an agreement to practice medicine as a condition of the license for at least three years in an area of the state that is designated by the United States Department of Health and Human Services as a health professional shortage area or a medically underserved area. The bill clarifies that the requirement not prohibit the board from issuing a license to such an applicant who is applying for a license to practice medicine at a graduate medical training program in the state that is not in such a shortage area or underserved area. The bill requires the board, not later than May 1, 2010, to adopt rules and procedures to implement its provisions and authorizes the board by rule to limit the license to practice medicine of such an applicant to an area in the state designated by the United States Department of Health and Human Services as a health professional shortage area or a medically underserved area.

EFFECTIVE DATE

September 1, 2009.