

BILL ANALYSIS

S.B. 202
By: Shapleigh
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas is a state with significant shortages in a variety of health care professions, with El Paso being the least staffed city in the state and the United States. Shortages exist in El Paso in regard to physicians, dentists, nurses, and allied health professionals. Statistics also show that physicians are not evenly distributed throughout the state.

In addition to the existing physician shortage in El Paso, a population growth of 65,000 over the next five years is estimated at Fort Bliss as a result of base realignment and closure decisions. The base realignment and closure impact alone will require an additional 615 doctors by 2017.

In recent years, the processing time for physician licensure applications has increased significantly and physicians who desire to practice in El Paso are experiencing processing times of several months, despite efforts by the Texas Medical Board to streamline the licensure process.

S.B. 202 requires the Texas Medical Board to grant a provisional license to practice medicine in certain locations to applicants who meet certain requirements relating to licensure outside Texas, passage of a recognized examination, and sponsorship by a licensed physician.

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

S.B. 202 amends the Occupations Code to require the Texas Medical Board, on application, to grant a provisional license to practice medicine in a location designated by the federal government as a health professional shortage area, or designated by the federal or state government as a medically underserved area, to an applicant for a license who is licensed in good standing as a physician in another state. The bill prohibits the board from granting such a license to an applicant who has had a medical license suspended or revoked by another state or a Canadian province or who holds a medical license by another state or a Canadian province that is subject to a restriction, disciplinary order, or probationary order. The bill requires the provisional license applicant to have passed a national or other examination recognized by the board relating to the practice of medicine within the number of attempts allowed by state law. The bill requires the provisional applicant to submit information to enable the board to conduct a criminal background check, and to be sponsored by a person licensed under Texas statutory provisions relating to physicians with whom the provisional license holder may practice medicine. The bill authorizes the board to excuse an applicant for a provisional license from the requirement of being sponsored, however, if the board determines that compliance with that requirement constitutes a hardship to the applicant.

S.B. 202 authorizes a person who holds such a provisional license to only practice medicine in a location designated as described above. The bill provides that the provisional license expires on the earlier of the 270th day after the date the provisional license was issued or the date the board issues the provisional license holder a license to practice medicine or denies the provisional license holder's application for a license to practice medicine. The bill requires the board to issue a medical license to the provisional license holder if the provisional license holder passes the required examination and satisfies all other license requirements.

S.B. 202 makes its provisions applicable to an application for a provisional license submitted on or after January 1, 2010.

EFFECTIVE DATE

September 1, 2009.