

By: Eissler

H.B. No. 2098

A BILL TO BE ENTITLED

AN ACT

relating to faculty temporary licenses to practice medicine.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 155.104(b), (e), (g), and (h), Occupations Code, are amended to read as follows:

(b) The board may issue a faculty temporary license to practice medicine to a physician [~~appointed by a medical school in this state~~] as provided by this section. The physician:

(1) must hold a current medical license that is unrestricted and not subject to a disciplinary order or probation in another state or a Canadian province or have completed at least three years of postgraduate residency;

(2) may not hold a medical license in another state or a Canadian province that has any restrictions, disciplinary orders, or probation;

(3) must pass the Texas medical jurisprudence examination; and

(4) must hold a salaried faculty position equivalent to [~~of~~] at least the level of assistant professor and be working full-time at one of the following institutions:

(A) The University of Texas Medical Branch at Galveston;

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

1 (C) The University of Texas Health Science Center  
2 at Houston;

3 (D) The University of Texas Health Science Center  
4 at San Antonio;

5 (E) The University of Texas Health Center at  
6 Tyler;

7 (F) The University of Texas M. D. Anderson Cancer  
8 Center;

9 (G) Texas A&M University College of Medicine;

10 (H) Texas Tech University School of Medicine;

11 (I) Baylor College of Medicine; ~~[or]~~

12 (J) the University of North Texas Health Science  
13 Center at Fort Worth;

14 (K) an institutional sponsor of a graduate  
15 medical education program accredited by the Accreditation Council  
16 for Graduate Medical Education; or

17 (L) a nonprofit health corporation certified  
18 under Section 162.001 and affiliated with a program described by  
19 Paragraph (K).

20 (e) A physician holding a temporary license under  
21 Subsection (b) and the physician's institution ~~[medical school]~~  
22 must file affidavits with the board affirming acceptance of the  
23 terms and limits imposed by the board on the medical activities of  
24 the physician.

25 (g) The holder of a temporary license issued under  
26 Subsection (b) is limited to the teaching confines of the applying  
27 institution ~~[medical school]~~ as a part of the physician's duties

1 and responsibilities assigned by the institution [~~school~~] and may  
2 not practice medicine outside of the setting of the institution  
3 [~~medical school~~] or an affiliate of the institution [~~medical~~  
4 ~~school~~]. The physician may participate in the full activities of  
5 the department of any hospital for which the physician's  
6 institution [~~medical school~~] has full responsibility for clinical,  
7 patient care, and teaching activities.

8 (h) The application for a temporary license under  
9 Subsection (b) must be made by the chairman of the department of the  
10 institution [~~medical school~~] in which the physician teaches, or the  
11 person holding the equivalent position at the institution where the  
12 physician teaches, and must contain the information and  
13 documentation requested by the department. The application must be  
14 endorsed by the dean of the medical school or the president of the  
15 institution.

16 SECTION 2. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2009.