

By: Kleinschmidt

H.B. No. 3967

A BILL TO BE ENTITLED

AN ACT

relating to the limited practice of medicine by a physician under a license issued by the Texas Medical Board.

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

SECTION 1. Subchapter A, Chapter 155, Occupations Code, is amended by adding Section 155.010 to read as follows:

Sec. 155.010. LICENSE FOR LIMITED PRACTICE PHYSICIANS. (a) The board shall adopt rules for the issuance of a license for limited practice physicians.

(b) The board's rules under this section must include provisions for:

- (1) eligibility for the license;
- (2) issuance and renewal of the license;
- (3) the fees applicable to the license;
- (4) continuing education requirements; and
- (5) the scope of practice of a person who holds the license.

(c) To be eligible for a license issued under this section a physician must:

- (1) be licensed by the board and in good standing;
- (2) practice medicine not more than 20 hours each week; and
- (3) provide voluntary charity care, as defined by board rule, for at least 25 percent of the physician's practice.

1 (d) The board by rule shall adopt notice requirements
2 sufficient to inform patients of a physician who holds a license
3 issued under this section that Section 74.005, Civil Practice and
4 Remedies Code, applies to the care provided by a physician licensed
5 under this section.

6 SECTION 2. Subchapter A, Chapter 74, Civil Practice and
7 Remedies Code, is amended by adding Section 74.005 to read as
8 follows:

9 Sec. 74.005. LIABILITY OF LIMITED PRACTICE PHYSICIAN. A
10 physician engaged in the limited practice of medicine within the
11 scope of a license issued under Section 155.010, Occupations Code,
12 is not liable in civil damages for a health care liability claim
13 unless the physician is willfully or wantonly negligent.

14 SECTION 3. Not later than January 1, 2010, the Texas Medical
15 Board shall adopt rules necessary to implement Section 155.010,
16 Occupations Code, as added by this Act.

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2009.