

By: Gonzales

H.B. No. 4423

A BILL TO BE ENTITLED

AN ACT

relating to physician shortage residency programs.

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

SECTION 1. Chapter 61, Education Code, is amended by adding Subchapter II to read as follows:

SUBCHAPTER II. CONTRACTS FOR PHYSICIAN SHORTAGE RESIDENCY PROGRAMS

Sec. 61.511. DEFINITIONS. As used in this subchapter:

(1) "Medical school" means a medical school that is part of The University of Texas System, the Texas Tech University System, the Texas A&M University System, the University of North Texas System, or the Baylor College of Medicine.

(2) "Approved physician shortage residency training program" means a graduate medical education program that is operated by a medical school, licensed hospital, or nonprofit corporation and that has been approved for training physicians in a shortage area identified by the Physician Shortage Residency Advisory Committee.

Sec. 61.512. CONTRACTS. The board may contract with a medical school, licensed hospital, or nonprofit corporation for the purpose of establishing and operating an approved physician shortage residency training program and may compensate the medical school, licensed hospital, or nonprofit corporation on a formula approved by the board based upon the number of resident physicians

1 in the training program.

2 Sec. 61.513. RULES. The board shall adopt rules to implement  
3 this subchapter.

4 Sec. 61.514. DISBURSEMENTS. (a) Pursuant to a contract,  
5 the board may disburse through the designated project director to a  
6 medical school, licensed hospital, or nonprofit corporation funds  
7 for the purpose of the graduate training of physicians in an  
8 approved physician shortage residency training program. The  
9 project director of the residency program shall, in accordance with  
10 such rules as the board may adopt, make timely reports directly to  
11 the board concerning the development and progress of the residency  
12 training program.

13 (b) The board may establish by contract the method or manner  
14 of the disbursement to the project director.

15 Sec. 61.515. ADVISORY COMMITTEE. (a) The Physician  
16 Shortage Residency Advisory Committee is created and shall consist  
17 of nine members, as follows:

18 (1) one member shall be a licensed physician appointed by  
19 the Texas Osteopathic Medical Association;

20 (2) two members shall be administrators of hospitals and  
21 shall be appointed by the Texas Hospital Association;

22 (3) two members shall be a licensed physician appointed by  
23 the Texas Medical Association;

24 (4) three members of the public shall be appointed to the  
25 committee by the governor; and

26 (5) one member representing the Statewide Health  
27 Coordinating Council as determining by the chair of the Council.

1       (b) The terms of office of each member shall be for three  
2 years. Each member shall serve until a replacement has been  
3 appointed to the committee.

4       (c) The members of the committee serve without  
5 compensation, but shall be reimbursed by the board for actual  
6 expenses incurred in the performance of duties as members of the  
7 committee.

8       (d) The committee shall meet at least annually and so often  
9 as requested by the board or called into meeting by the chairman.

10       (e) The chairman shall be elected by the members of the  
11 committee for one year.

12       (f) The committee shall:

13               (1) review data from the Statewide Health Coordinating  
14 Council and other resources to determine the physician shortages in  
15 Texas;

16               (2) review for the board applications for approval and  
17 funding of residency training programs and related support  
18 programs;

19               (3) make recommendations to the board relating to the  
20 disbursement of funds under this subchapter based on the following  
21 criteria:

22                       (A) residency programs which would expand  
23 training opportunities in medical specialty areas in which there is  
24 a shortage in Texas;

25                       (B) residency programs which would located in  
26 medically underserved communities in Texas;

27                       (C) residency programs in specialty areas in

1 which a substantial number of graduates of Texas medical schools  
2 have left the state of Texas to pursue such training; or

3 (D) residency programs which would undertake  
4 innovative approaches to residency training, include extensive use  
5 of ambulatory facilities or the creation of medical homes for  
6 patients; and

7 (4) perform such other duties as may be directed by the  
8 board.

9 Sec. 61.516. FUNDING. The board may:

10 (1) receive and expend appropriations for purposes of  
11 this subchapter, including funds generated by fees under Chapter  
12 153, Occupations Code, in excess of the funds needed for the  
13 purposes authorized by Section 153.052, Occupations Code; and

14 (2) accept gifts, grants, and donations of real or  
15 personal property from any entity, subject to limitations or  
16 conditions set by law, for the purposes of this subchapter.

17 SECTION 2. The heading to Subchapter I, Chapter 61,  
18 Education Code, is amended to read as follows:

19 SUBCHAPTER I. CONTRACTS FOR FAMILY PRACTICE ~~[MEDICAL]~~  
20 RESIDENCY PROGRAMS.

21 SECTION 3. The Texas Higher Education Coordinating Board  
22 shall adopt rules to implement Subchapter II, Chapter 61, Education  
23 Code, as added by this Act, not later than January 1, 2010.

24 SECTION 4. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2009.