

1-1 By: Nelson S.B. No. 86
1-2 (In the Senate - Filed November 10, 2008; February 10, 2009,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 2, 2009, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; March 2, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the eligibility of certain aliens for a license to
1-9 practice medicine in this state.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter A, Chapter 155, Occupations Code, is
1-12 amended by adding Section 155.0045 to read as follows:

1-13 Sec. 155.0045. ADDITIONAL ELIGIBILITY REQUIREMENT FOR
1-14 CERTAIN ALIENS. (a) A license applicant who is not a United States
1-15 citizen or an alien lawfully admitted for permanent residence in
1-16 the United States must present proof satisfactory to the board that
1-17 the applicant has practiced medicine or has signed an agreement to
1-18 practice medicine as a condition of the license for at least three
1-19 years in an area in this state that is designated by the United
1-20 States Department of Health and Human Services as a health
1-21 professional shortage area or a medically underserved area.

1-22 (b) Subsection (a) does not prohibit the board from issuing
1-23 a license to an applicant described by that subsection who is
1-24 applying for a license to practice medicine at a graduate medical
1-25 training program in this state that is not in an area described by
1-26 that subsection.

1-27 (c) The board shall adopt rules and procedures to implement
1-28 this section, including rules to determine whether the applicant is
1-29 complying with the agreement required under Subsection (a).

1-30 (d) The board by rule may limit the license to practice
1-31 medicine of an applicant described by Subsection (a) to an area in
1-32 this state that is designated by the United States Department of
1-33 Health and Human Services as a health professional shortage area or
1-34 a medically underserved area.

1-35 SECTION 2. Not later than May 1, 2010, the Texas Medical
1-36 Board shall adopt the rules necessary to implement Section
1-37 155.0045, Occupations Code, as added by this Act.

1-38 SECTION 3. The changes in law made by this Act apply only to
1-39 an application for an initial license to practice medicine made on
1-40 or after September 1, 2010. An application for an initial license
1-41 to practice medicine made before that date and the subsequent
1-42 renewal of the license is covered by the law in effect when the
1-43 application was made, and the former law is continued in effect for
1-44 that purpose.

1-45 SECTION 4. This Act takes effect September 1, 2009.

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