

By: Lucio, Hinojosa
Zaffirini

S.B. No. 98

A BILL TO BE ENTITLED

AN ACT

relating to establishing a health science center and medical school
in South Texas.

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

SECTION 1. Chapter 74, Education Code, is amended by adding
Subchapter N to read as follows:

SUBCHAPTER N. THE UNIVERSITY OF TEXAS HEALTH SCIENCE

CENTER--SOUTH TEXAS

Sec. 74.751. HEALTH SCIENCE CENTER. (a) The board of regents of The University of Texas System may operate The University of Texas Health Science Center--South Texas as a component institution of The University of Texas System with its main campus and administrative offices in Cameron County. The health science center may consist of a medical school, as provided by Section 74.752, other health and health-related degree programs, and related programs and facilities as the board considers appropriate.

(b) The board of regents may include facilities located in Brooks, Cameron, Hidalgo, Jim Hogg, Kenedy, Kleberg, Starr, Willacy, and Zapata Counties in the health science center and may operate programs and activities and provide related services of the center in those counties.

Sec. 74.752. MEDICAL SCHOOL. If The University of Texas Health Science Center--South Texas is established under Section

1 74.751, The University of Texas Medical School--South Texas may be
2 established as a component of the health science center and as a
3 component institution of The University of Texas System under the
4 management and control of the board of regents of The University of
5 Texas System.

6 Sec. 74.753. PARTICIPATION IN AVAILABLE UNIVERSITY FUND.

7 In accordance with Section 18(c), Article VII, Texas Constitution,
8 if the Act enacting this section receives a vote of two-thirds of
9 all the members elected to each house of the legislature, and if an
10 institution is established under this subchapter, the institution
11 is entitled to participate in the funding provided by Section 18,
12 Article VII, Texas Constitution, for The University of Texas
13 System.

14 Sec. 74.754. COURSES AND DEGREES; RULES. The board of
15 regents may prescribe courses leading to customary degrees and may
16 adopt rules for the operation, control, and management of the
17 health science center as may be necessary for the conduct of a
18 medical school and other health science center programs of the
19 first class.

20 Sec. 74.755. AFFILIATION AGREEMENTS; JOINT APPOINTMENTS.

21 (a) The board of regents may execute and carry out affiliation or
22 coordination agreements with any other entity or institution in the
23 region.

24 (b) The board of regents may make joint appointments in the
25 health science center, its component institutions, and other
26 institutions under the board's governance. The salary of a person
27 who receives a joint appointment shall be apportioned to the

1 appointing institutions on the basis of services rendered.

2 Sec. 74.756. GIFTS AND GRANTS; OTHER FUNDING. (a) The
3 board of regents may accept and administer gifts and grants from any
4 public or private person or entity for the use and benefit of the
5 health science center and its component institutions.

6 (b) Notwithstanding any other provision of this subchapter,
7 establishment of the health science center is subject to the
8 availability of funding, either through appropriation or from
9 another source.

10 Sec. 74.757. OTHER FACILITIES. In addition to the
11 facilities of the health science center and its component
12 institutions, the board of regents may enter into agreements under
13 which additional facilities used in the center's teaching and
14 research programs, including libraries, auditoriums, research
15 facilities, and medical education buildings, may be provided by a
16 public or private entity.

17 Sec. 74.758. TEACHING HOSPITAL. A teaching hospital
18 considered suitable by the board of regents for the health science
19 center may be provided by a public or private entity. The hospital
20 may not be constructed, maintained, or operated with state funds.

21 Sec. 74.759. COORDINATING BOARD SUPERVISION. The health
22 science center is subject to the continuing supervision of the
23 Texas Higher Education Coordinating Board under Chapter 61 and to
24 the rules of the coordinating board adopted under Chapter 61.

25 Sec. 74.760. EFFECT OF HEALTH SCIENCE CENTER ON LOWER RIO
26 GRANDE VALLEY ACADEMIC HEALTH CENTER. (a) The board of regents
27 may convert the regional academic health center established under

1 Subchapter L into The University of Texas Health Science
2 Center--South Texas and may establish The University of Texas
3 Medical School--South Texas at the health science center as soon as
4 the board considers appropriate considering available resources
5 and the best interests of The University of Texas System and the
6 people of this state and the South Texas region. In establishing
7 the health science center and medical school, the board of regents
8 shall ensure that the programs, students, and faculty and staff of
9 the regional academic health center are not affected other than as
10 the board considers necessary to implement this subchapter.

11 (b) It is the intent of the legislature that The University
12 of Texas Health Science Center--South Texas and its component
13 institutions be established by conversion of the regional academic
14 health center established under Subchapter L and that those
15 entities be considered to be the same institution. A reference in
16 law to the regional academic health center applies to The
17 University of Texas Health Science Center--South Texas to the
18 extent it can be made applicable. All contracts and agreements,
19 including bonds and other financial obligations, entered into by
20 The University of Texas System or any of its officers or employees
21 relating to the regional academic health center apply to The
22 University of Texas Health Science Center--South Texas when the
23 health science center is established.

24 (c) The permanent endowment fund established under Section
25 63.101 for the benefit of the regional academic health center
26 established under Subchapter L is transferred to the benefit of The
27 University of Texas Health Science Center--South Texas and its

1 component institutions when the health science center is
2 established. It is the intent of the legislature that the transfer
3 of the permanent endowment fund be made so as not to interrupt the
4 research or other programs supported by distributions from the
5 fund.

6 SECTION 2. Section 55.1732, Education Code, is amended by
7 adding Subsection (e) to read as follows:

8 (e) Bonds authorized or issued under this section for the
9 regional academic health center established under Section 74.611
10 are considered to have been authorized or issued for The University
11 of Texas Health Science Center--South Texas and its component
12 institutions if the health science center is established.

13 SECTION 3. Subdivision (5), Section 61.003, Education Code,
14 is amended to read as follows:

15 (5) "Medical and dental unit" means The University of
16 Texas Medical Branch at Galveston; The University of Texas
17 Southwestern Medical Center at Dallas; The University of Texas
18 Medical School at San Antonio; The University of Texas Dental
19 Branch at Houston; The University of Texas M. D. Anderson Cancer
20 Center; The University of Texas Graduate School of Biomedical
21 Sciences at Houston; The University of Texas Dental School at San
22 Antonio; The University of Texas Medical School at Houston; The
23 University of Texas Health Science Center--South Texas and its
24 component institutions, if established under Subchapter N, Chapter
25 74; the nursing institutions of The University of Texas System; and
26 The University of Texas School of Public Health at Houston; and such
27 other medical or dental schools as may be established by statute or

1 as provided in this chapter.

2 SECTION 4. Subsection (c), Section 63.002, Education Code,
3 is amended to read as follows:

4 (c) The amount available for distribution from the fund may
5 be appropriated only for programs that benefit medical research,
6 health education, or treatment programs at the following
7 health-related institutions of higher education:

8 (1) The University of Texas Health Science Center at
9 San Antonio;

10 (2) The University of Texas M. D. Anderson Cancer
11 Center;

12 (3) The University of Texas Southwestern Medical
13 Center at Dallas;

14 (4) The University of Texas Medical Branch at
15 Galveston;

16 (5) The University of Texas Health Science Center at
17 Houston;

18 (6) The University of Texas Health Science Center at
19 Tyler;

20 (7) The University of Texas Health Science
21 Center--South Texas and its component institutions, if established
22 under Subchapter N, Chapter 74;

23 (8) The Texas A&M University Health Science Center;

24 (9) [~~8~~] the University of North Texas Health Science
25 Center at Fort Worth;

26 (10) [~~9~~] the Texas Tech University Health Sciences
27 Center; and

1 (11) [~~10~~] Baylor College of Medicine, if a contract
2 between Baylor College of Medicine and the Texas Higher Education
3 Coordinating Board is in effect under Section 61.092.

4 SECTION 5. Subsection (a), Section 65.02, Education Code,
5 is amended to read as follows:

6 (a) The University of Texas System is composed of the
7 following institutions and entities:

8 (1) The University of Texas at Arlington, including:

9 (A) The University of Texas Institute of Urban
10 Studies at Arlington; and

11 (B) The University of Texas School of Nursing at
12 Arlington;

13 (2) The University of Texas at Austin, including:

14 (A) The University of Texas Marine Science
15 Institute;

16 (B) The University of Texas McDonald Observatory
17 at Mount Locke; and

18 (C) The University of Texas School of Nursing at
19 Austin;

20 (3) The University of Texas at Dallas;

21 (4) The University of Texas at El Paso, including The
22 University of Texas School of Nursing at El Paso;

23 (5) The University of Texas of the Permian Basin;

24 (6) The University of Texas at San Antonio, including
25 the University of Texas Institute of Texan Cultures at San Antonio;

26 (7) The University of Texas Southwestern Medical
27 Center at Dallas, including:

1 (A) The University of Texas Southwestern Medical
2 School at Dallas;

3 (B) The University of Texas Southwestern
4 Graduate School of Biomedical Sciences at Dallas; and

5 (C) The University of Texas Southwestern Allied
6 Health Sciences School at Dallas;

7 (8) The University of Texas Medical Branch at
8 Galveston, including:

9 (A) The University of Texas Medical School at
10 Galveston;

11 (B) The University of Texas Graduate School of
12 Biomedical Sciences at Galveston;

13 (C) The University of Texas School of Allied
14 Health Sciences at Galveston;

15 (D) The University of Texas Marine Biomedical
16 Institute at Galveston;

17 (E) The University of Texas Hospitals at
18 Galveston; and

19 (F) The University of Texas School of Nursing at
20 Galveston;

21 (9) The University of Texas Health Science Center at
22 Houston, including:

23 (A) The University of Texas Medical School at
24 Houston;

25 (B) The University of Texas Dental Branch at
26 Houston;

27 (C) The University of Texas Graduate School of

1 Biomedical Sciences at Houston;

2 (D) The University of Texas School of Health
3 Information Sciences at Houston;

4 (E) The University of Texas School of Public
5 Health at Houston;

6 (F) The University of Texas Speech and Hearing
7 Institute at Houston; and

8 (G) The University of Texas School of Nursing at
9 Houston;

10 (10) The University of Texas Health Science Center at
11 San Antonio, including:

12 (A) The University of Texas Medical School at San
13 Antonio;

14 (B) The University of Texas Dental School at San
15 Antonio;

16 (C) The University of Texas Graduate School of
17 Biomedical Sciences at San Antonio;

18 (D) The University of Texas School of Allied
19 Health Sciences at San Antonio; and

20 (E) The University of Texas School of Nursing at
21 San Antonio;

22 (11) The University of Texas M. D. Anderson Cancer
23 Center, including:

24 (A) The University of Texas M. D. Anderson
25 Hospital;

26 (B) The University of Texas M. D. Anderson Tumor
27 Institute; and

1 (C) The University of Texas M. D. Anderson
2 Science Park; and

3 (12) The University of Texas Health Science
4 Center--South Texas, including The University of Texas Medical
5 School--South Texas, if established under Subchapter N, Chapter 74.

6 SECTION 6. No funds for a state fiscal biennium ending on or
7 before August 31, 2015, may be appropriated for the purposes of
8 Subchapter N, Chapter 74, Education Code, as added by this Act.

9 SECTION 7. This Act does not make an appropriation. This
10 Act takes effect only if a specific appropriation for the
11 implementation of the Act is provided in a general appropriations
12 act of the 81st Legislature.

13 SECTION 8. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2009.