

1-1 By: Shapleigh S.B. No. 202  
1-2 (In the Senate - Filed November 10, 2008; February 11, 2009,  
1-3 read first time and referred to Committee on Health and Human  
1-4 Services; March 2, 2009, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 March 2, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 202 By: Shapleigh

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to provisional licensing of physicians to practice in  
1-11 underserved areas.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter C, Chapter 155, Occupations Code, is  
1-14 amended by adding Section 155.101 to read as follows:

1-15 Sec. 155.101. PROVISIONAL LICENSE TO PRACTICE IN CERTAIN  
1-16 AREAS. (a) On application, the board shall grant a provisional  
1-17 license to practice medicine in a location described by Subsection  
1-18 (e) to an applicant for a license under this subtitle who is  
1-19 licensed in good standing as a physician in another state.

1-20 (b) The board may not grant a provisional license under this  
1-21 section to an applicant who:

1-22 (1) has had a medical license suspended or revoked by  
1-23 another state or a Canadian province; or

1-24 (2) holds a medical license issued by another state or  
1-25 a Canadian province that is subject to a restriction, disciplinary  
1-26 order, or probationary order.

1-27 (c) The provisional license applicant must:

1-28 (1) have passed a national or other examination  
1-29 recognized by the board relating to the practice of medicine within  
1-30 the number of attempts allowed under Section 155.056;

1-31 (2) submit information to enable the board to conduct  
1-32 a criminal background check as required by the board; and

1-33 (3) be sponsored by a person licensed under this  
1-34 subtitle with whom the provisional license holder may practice  
1-35 under this section.

1-36 (d) The board may excuse an applicant for a provisional  
1-37 license from the requirement of Subsection (c)(3) if the board  
1-38 determines that compliance with that subsection constitutes a  
1-39 hardship to the applicant.

1-40 (e) A person who holds a provisional license issued under  
1-41 this section may only practice medicine in a location:

1-42 (1) designated by the federal government as a health  
1-43 professional shortage area; or

1-44 (2) designated by the federal or state government as a  
1-45 medically underserved area.

1-46 (f) A provisional license expires on the earlier of:

1-47 (1) the date the board issues the provisional license  
1-48 holder a license under this subtitle or denies the provisional  
1-49 license holder's application for a license; or

1-50 (2) the 270th day after the date the provisional  
1-51 license was issued.

1-52 (g) The board shall issue a license under this subtitle to  
1-53 the holder of a provisional license under this section if:

1-54 (1) the provisional license holder passes the  
1-55 examination required by Section 155.051; and

1-56 (2) the provisional license holder satisfies all other  
1-57 license requirements under this subtitle.

1-58 SECTION 2. Section 155.101, Occupations Code, as added by  
1-59 this Act, applies to an application for a provisional license  
1-60 submitted on or after January 1, 2010.

1-61 SECTION 3. This Act takes effect September 1, 2009.

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