

AN ACT

relating to the authority and policies and procedures of the Dallas County Hospital District with regard to appointing, contracting for, or employing physicians, dentists, and other health care providers.

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

SECTION 1. Subchapter B, Chapter 281, Health and Safety Code, is amended by adding Section 281.0282 to read as follows:

Sec. 281.0282. DALLAS COUNTY HOSPITAL DISTRICT; EMPLOYMENT OF HEALTH CARE PROVIDERS AND PHYSICIANS. (a) The board of the Dallas County Hospital District may appoint, contract for, or employ physicians, dentists, and other health care providers as the board considers necessary for the efficient operation of the district.

(b) The term of an employment contract entered into under this section may not exceed four years.

(c) This section may not be construed as authorizing the board of the Dallas County Hospital District to supervise or control the practice of medicine, as prohibited by Subtitle B, Title 3, Occupations Code.

(d) The authority granted to the board of the Dallas County Hospital District under Subsection (a) to employ physicians shall apply only as necessary for the district to fulfill the district's statutory mandate to provide medical and dental care for the

1 indigent and needy residents of the district as provided by Section  
2 281.046.

3 (e) The Dallas County Hospital District shall establish a  
4 committee consisting of at least five actively practicing  
5 physicians who provide care in the district. The committee shall  
6 approve existing policies or adopt new policies, if no policies  
7 exist, to ensure that a physician who is employed by the district is  
8 exercising the physician's independent medical judgment in  
9 providing care to patients.

10 (f) The chair of the committee must be a member of the  
11 executive committee of the Dallas County Hospital District's  
12 medical staff.

13 (g) The policies adopted or approved by the committee shall  
14 include policies relating to credentialing, quality assurance,  
15 utilization review, peer review, medical decision-making,  
16 governance of the committee, and due process.

17 (h) Each member of a committee shall provide biennially to  
18 the chief medical officer of the Dallas County Hospital District a  
19 signed, verified statement indicating that the committee member:

20 (1) is licensed by the Texas Medical Board;

21 (2) will exercise independent medical judgment in all  
22 committee matters, including matters relating to credentialing,  
23 quality assurance, utilization review, peer review, medical  
24 decision-making, and due process;

25 (3) will exercise the committee member's best efforts  
26 to ensure compliance with the Dallas County Hospital District's  
27 policies that are adopted or established by the committee; and

1           (4) will report immediately to the Texas Medical Board  
2 any action or event that the committee member reasonably and in good  
3 faith believes constitutes a compromise of the independent medical  
4 judgment of a physician in caring for a patient.

5           (i) The committee shall adopt rules requiring the  
6 disclosure of financial conflicts of interest by a committee  
7 member.

8           (j) For all matters relating to the practice of medicine,  
9 each physician employed by the board shall ultimately report to the  
10 chief medical officer of the Dallas County Hospital District.

11           SECTION 2. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2009.

S.B. No. 1705

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1705 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1705 passed the House on May 27, 2009, by the following vote: Yeas 147, Nays 1, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor