

By: West

S.B. No. 1705

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority and policies and procedures of the Dallas
3 County Hospital District with regard to appointing, contracting
4 for, or employing physicians, dentists, and other health care
5 providers.

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

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

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

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

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

21 (d) The authority granted to the board of the Dallas County
22 Hospital District under Subsection (a) to employ physicians shall
23 apply only as necessary for the district to fulfill the district's
24 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.