

BILL ANALYSIS

C.S.H.B. 1885
By: Hardcastle
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Like many rural hospital districts in Texas, the Knox County Hospital District has difficulty recruiting and retaining physicians, which limits access to health care for district residents. The goal of C.S.H.B. 1885 is to allow the Knox County Hospital District to provide economic incentives that encourage physicians to relocate and reside in the community and to help the district recruit and retain physicians who can provide necessary medical services by authorizing the board of directors of the district to directly employ physicians and other health care providers.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1885 amends the Special District Local Laws Code to authorize the board of directors of the Knox County Hospital District to employ physicians and other health care providers as necessary for the efficient operation of the district. The bill prohibits its provisions from being construed as authorizing the board to supervise or control the practice of medicine, as prohibited by the Medical Practice Act. The bill authorizes the board to employ a physician and retain all or part of the professional income generated by the physician for medical services provided at the hospital and other health facilities owned or operated by the hospital if the hospital satisfies the requirements of provisions relating to district administration.

C.S.H.B. 1885 requires the board to appoint a chief medical officer, who may be a member of the hospital's medical staff, and adopt, maintain, and enforce policies to ensure that a physician employed by the hospital exercises the physician's independent medical judgment in providing patient care at the hospital. The bill requires such policies to include the implementation of a complaint mechanism to process and resolve complaints regarding interference or attempted interference with a physician's independent medical judgment and include policies relating to credentialing, quality assurance, utilization review, peer review, and medical decision-making. The bill requires the adopted policies to be approved by the chief medical officer of the hospital and establishes that the policies control and prevail in the event of a conflict with any other policies of a hospital administrated under the district.

C.S.H.B. 1885 requires each physician employed by the hospital under provisions relating to district administration to ultimately report to the chief medical officer of the hospital for all matters relating to the practice of medicine. The bill requires the chief medical officer to immediately report to the Texas Medical Board any action or event that the chief medical officer reasonably and in good faith believes constitutes a compromise of the independent medical judgment of a physician caring for a patient.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1885 contains a provision not included in the original authorizing the board of directors of the Knox County Hospital District to employ a physician and retain all or part of the professional income generated by the physician for medical services provided under certain conditions.

C.S.H.B. 1885 contains provisions not included in the original requiring the board to appoint a chief medical officer and adopt, maintain, and enforce certain policies relating to a physician employed by the hospital, setting out items required to be included in the policies, and requiring the adopted policies to be approved by the chief medical officer. The substitute contains a provision not included in the original establishing that the adopted policies control and prevail in the event of a conflict with any other policies of a hospital.

C.S.H.B. 1885 contains a provision not included in the original requiring each physician employed by the hospital to ultimately report to the chief medical officer for all matters relating to the practice of medicine. The substitute contains a provision not included in the original requiring the chief medical officer to immediately report certain actions or events relating to patient care to the Texas Medical Board.