

BILL ANALYSIS

H.B. 1908
By: Madden
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that one of the greatest problems facing correctional managed health care is the inability to recruit a sufficient number of physicians, mental health professionals, nurses, and mid-level practitioners, including physician assistants and nurse practitioners, to provide adequate medical and mental health care for the thousands of inmates under the jurisdiction of the Texas Department of Criminal Justice (TDCJ). It has been reported that vacancy rates for these professions in TDCJ facilities statewide are considerably high. Moreover, many of the TDCJ and Texas Youth Commission (TYC) facilities are located in rural areas of Texas, where it can be difficult to recruit health care professionals. H.B. 1908 attempts to address the shortage of these professionals necessary to provide quality health care to persons committed to certain TDCJ and TYC facilities.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 4 of this bill and to the Correctional Managed Health Care Committee in SECTIONS 3 and 5 of this bill.

ANALYSIS

H.B. 1908 amends the Education Code to include a physician who provides health care services to persons committed to a secure correctional facility operated by or under contract with the Texas Youth Commission or persons confined in a secure correctional facility operated by or under contract with any division of the Texas Department of Criminal Justice among the physicians who are eligible to receive student loan repayment assistance from the Texas Higher Education Coordinating Board, if the physician meets other eligibility requirements. The bill limits the coordinating board's repayment assistance grants paid to a physician who provides health care services to persons committed to such correctional facilities to the first 10 physicians who establish eligibility for those grants each year.

H.B. 1908 amends the Government Code to authorize the Correctional Managed Health Care Committee to provide student loan repayment assistance, from funds appropriated for purposes of correctional managed health care, for medical and mental health care physicians and other staff providing correctional managed health care. The bill authorizes the repayment assistance to be applied to any student loan received through any lender for education at a public or accredited private institution of higher education in the United States, including loans for undergraduate, graduate, and medical education. The bill authorizes the committee to adopt rules for the implementation of the committee's provision of student loan repayment assistance, including rules governing eligibility for the loan repayment assistance and the terms of contracts between the committee and recipients of the loan repayment assistance. The bill requires the committee, in adopting the rules, to consider the requirements established by provisions of law relating to the Texas Higher Education Coordinating Board's repayment of certain physician education loans and to consider the rules adopted under those provisions of law. The bill prohibits a physician from receiving loan repayment assistance from both the committee and the

coordinating board. The bill requires the committee, not later than December 1 of each state fiscal year, to submit a report to the Legislative Budget Board and the governor on the use of funds for the committee's provision of student loan repayment assistance for the preceding fiscal year.

H.B. 1908 requires the coordinating board to adopt any rules necessary under the bill's provisions relating to repayment assistance to certain physicians not later than December 1, 2011. The bill requires the coordinating board to begin providing, as permitted, student loan repayment assistance to providers of health care in secure correctional facilities not later than January 1, 2012. The bill requires the committee to adopt rules for the provision of student loan repayment assistance not later than December 1, 2011, and to begin providing the student loan repayment assistance authorized under the bill's provisions not later than January 1, 2012.

EFFECTIVE DATE

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