

## **BILL ANALYSIS**

Senate Research Center

S.B. 189  
By: Nelson  
Health & Human Services  
7/20/2011  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 189 improves access to health care in Texas by requiring physicians in the United States on an H-1B visa who apply for a Texas medical license to provide three years of service in a health professional shortage area, medically underserved area, or at a graduate medical training program.

S.B. 189 amends current law relating to the eligibility of certain aliens for a license to practice medicine in this state.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Medical Board in SECTION 1 (Section 155.0045, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 155, Occupations Code, by adding Section 155.0045, as follows:

Sec. 155.0045. **ADDITIONAL ELIGIBILITY REQUIREMENT FOR CERTAIN ALIENS.** (a) Requires a license applicant who is not a United States citizen or an alien lawfully admitted for permanent residence in the United States to present proof satisfactory to the Texas Medical Board (TMB) that the applicant has practiced medicine or has signed an agreement to practice medicine as a condition of the license for at least three years in an area in this state that is designated by the United States Department of Health and Human Services as a health professional shortage area or a medically underserved area.

(b) Provides that Subsection (a) does not prohibit TMB from issuing a license to an applicant described by that subsection who is applying for a license to practice medicine at a graduate medical training program in this state that is not in an area described by that subsection.

(c) Requires TMB to adopt rules and procedures to implement this section, including rules to determine whether the applicant is complying with the agreement required under Subsection (a).

(d) Authorizes TMB by rule to limit the license to practice medicine of an applicant described by Subsection (a) to an area in this state that is designated by the United States Department of Health and Human Services as a health professional shortage area or a medically underserved area.

SECTION 2. Requires TMB, not later than May 1, 2012, to adopt the rules necessary to implement Section 155.0045, Occupations Code, as added by this Act.

SECTION 3. Makes application of this Act prospective only to an application for an initial license to practice medicine made on or after September 1, 2012.

SECTION 4. Effective date: September 1, 2011.