

BILL ANALYSIS

Senate Research Center
82R1900 NC-D

S.B. 240
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas is a state with significant shortages in a variety of health care professions. Furthermore, physicians are not evenly distributed throughout the state. This legislation will help address the physician shortage issue by allowing qualified, out-of-state doctors to obtain Texas medical licenses.

S.B. 240 provides that the time frame to pass each part of the examination for a license to practice medicine and the limitation on examination attempts do not apply to an applicant who is licensed and in good standing as a physician in another state; has been licensed for at least five years; does not hold a medical license in the other state that has or has ever had any restrictions, disciplinary orders, or probation; and who will practice in a medically underserved area or a health manpower shortage area.

S.B. 240 authorizes the Texas Medical Board to establish by rule a process to verify that a person, after meeting the requirements relating to the timeframe to pass each part of the licensing examination, practices only in a medically underserved area or a health manpower shortage area.

As proposed, S.B. 240 amends current law relating to examination requirements for certain applicants for a license to practice medicine.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Medical Board in SECTION 1 (Section 155.051, Occupations Code) and SECTION 2 (Section 155.056, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 155.051, Occupations Code, by adding Subsections (d) and (e), as follows:

(d) Provides that the time frame to pass each part of the examination does not apply to an applicant who:

(1) is licensed and in good standing as a physician in another state;

(2) has been licensed for at least five years;

(3) does not hold a medical license in the other state that has ever had any restrictions, disciplinary orders, or probation; and

(4) will practice in a medically underserved area or a health manpower shortage area, as those terms are defined by Section 157.052 (Prescribing at Sites Serving Certain Medically Underserved Populations).

(e) Authorizes the Texas Medical Board (TMB) by rule to establish a process to verify that a person, after meeting the requirements of Subsection (d), practices only in an area described by Subsection (d)(4).

SECTION 2. Amends Section 155.056, Occupations Code, by adding Subsections (e) and (f), as follows:

(e) Provides that the limitation on examination attempts by an applicant under Subsection (a) (relating to requiring each applicant to pass within three attempts) does not apply to an applicant who:

(1) is licensed and in good standing as a physician in another state;

(2) has been licensed for at least five years;

(3) does not hold a medical license in the other state that has or has ever had any restrictions, disciplinary orders, or probation; and

(4) will practice in a medically underserved area or a health manpower shortage area, as those terms are defined by Section 157.052.

(f) Authorizes TMB by rule to establish a process to verify that a person who, after meeting the requirements of Subsection (e), practices only in an area described by Subsection (e)(4).

SECTION 3. Effective date: upon passage or September 1, 2011.