

BILL ANALYSIS

Senate Research Center
82R82R7362 NC-D

S.B. 955
By: Gallegos
Criminal Justice
4/15/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law allows nonprofit medical schools, federally qualified health centers, and certain nonprofit corporations to employ physicians. After the specific authorization granted to the Dallas County Hospital District during the last legislative session, the Harris County Hospital District and the Harris County Sheriff's Office also seek an express statutory clarification of the relationship of government entities with physicians.

S.B. 955 provides statutory clarification as it relates to government entities and the corporate practice of medicine by allowing the commissioners courts of Texas counties to employ physicians to provide health care for inmates in the custody of the sheriff. While government entities do not appear to fall within the definition of persons prohibited from engaging in the corporate practice of medicine by employing physicians, this clarification is necessary in order to cover physicians who may be employed in certain health care facilities and county jail facilities.

As proposed, S.B. 955 amends current law relating to the authority of counties to appoint, contract for, or employ physicians, dentists, or other health care providers for county jails.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 351, Local Government Code, by adding Section 351.045, as follows:

Sec. 351.045. EMPLOYMENT OF HEALTH CARE PROVIDERS. (a) Authorizes the commissioners court of a county to appoint, contract for, or employ licensed physicians, dentists, or other health care providers to provide health care services to inmates in the custody of the sheriff.

(b) Provides that this section may not be construed as authorizing a commissioners court to supervise or control the practice of medicine as prohibited by Subtitle B (Physicians), Title 3 (Health Professions), Occupations Code, or to supervise or control the practice of dentistry as prohibited by Subtitle D (Dentistry), Title 3, Occupations Code.

SECTION 2. Effective date: upon passage or September 1, 2011.