

By: Gonzales of Hidalgo

H.B. No. 393

A BILL TO BE ENTITLED

AN ACT

relating to physician shortage residency training programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 61, Education Code, is amended by adding Subchapter I-1 to read as follows:

SUBCHAPTER I-1. CONTRACTS FOR PHYSICIAN SHORTAGE RESIDENCY  
TRAINING PROGRAMS

Sec. 61.511. DEFINITIONS. In this subchapter:

(1) "Approved physician shortage residency training  
program" means a graduate medical education program that:

(A) is operated by a medical school, licensed  
hospital, or nonprofit corporation; and

(B) has been approved for training physicians in  
a physician shortage area identified by the Physician Shortage  
Residency Advisory Committee.

(2) "Medical school" means:

(A) a medical school that is part of The  
University of Texas System, the Texas Tech University System, The  
Texas A&M University System, or the University of North Texas  
System; or

(B) the Baylor College of Medicine.

Sec. 61.512. CONTRACTS. The board may contract with a  
medical school, licensed hospital, or nonprofit corporation for the  
purpose of establishing and operating an approved physician

1 shortage residency training program and may compensate the medical  
2 school, licensed hospital, or nonprofit corporation using a formula  
3 that is approved by the board and based on the number of resident  
4 physicians in the training program.

5 Sec. 61.513. RULES. The board shall adopt rules to  
6 implement this subchapter.

7 Sec. 61.514. DISBURSEMENTS. (a) Pursuant to a contract,  
8 the board may disburse through the designated project director to a  
9 medical school, licensed hospital, or nonprofit corporation funds  
10 for the purpose of the graduate training of physicians in an  
11 approved physician shortage residency training program. The  
12 project director of the residency training program shall, in  
13 accordance with board rules, make timely reports directly to the  
14 board concerning the development and progress of the residency  
15 training program.

16 (b) The board by contract may establish the method or manner  
17 of the disbursement to the project director.

18 Sec. 61.515. ADVISORY COMMITTEE. (a) The Physician  
19 Shortage Residency Advisory Committee consists of nine members as  
20 follows:

21 (1) one member, appointed by the Texas Osteopathic  
22 Medical Association, who must be a licensed physician;

23 (2) two members, appointed by the Texas Hospital  
24 Association, who must be hospital administrators;

25 (3) two members, appointed by the Texas Medical  
26 Association, who must be licensed physicians;

27 (4) one member representing the statewide health

1 coordinating council appointed by the presiding officer of the  
2 council; and

3 (5) three members of the public appointed by the  
4 governor.

5 (b) Each member serves a three-year term. Each member may  
6 continue to serve after the expiration of the member's term until a  
7 replacement for the member is appointed to the committee.

8 (c) The members of the committee serve without  
9 compensation, but are entitled to be reimbursed by the board for  
10 actual expenses incurred in the performance of duties as members of  
11 the committee.

12 (d) The committee shall meet at least annually and as  
13 otherwise requested by the board or called into meeting by the  
14 presiding officer of the committee.

15 (e) The presiding officer of the committee is elected  
16 annually by the members of the committee.

17 (f) The committee shall:

18 (1) review data from the statewide health coordinating  
19 council and other resources to identify physician shortage areas in  
20 this state;

21 (2) to assist the board, review applications for  
22 approval and funding of physician shortage residency training  
23 programs and related support programs;

24 (3) make recommendations to the board that relate to  
25 the disbursement of funds under this subchapter and that are based  
26 on the following criteria:

27 (A) whether a program would expand training

opportunities in medical specialty areas in which there is a physician shortage in this state;

(B) whether a program would be located in a medically underserved community in this state;

(C) whether a program is in a specialty area in which a substantial number of graduates of medical schools have left this state to pursue training in that specialty area; or

(D) whether a program would undertake innovative approaches to residency training, such as extensive use of ambulatory facilities or the creation of medical homes for patients; and

(4) perform any other duties as may be directed by the board.

Sec. 61.516. FUNDING. The board may:

(1) receive and expend appropriations for purposes of this subchapter, including funds generated by fees charged under Chapter 153, Occupations Code, in excess of the amount needed for the purposes authorized by Section 153.052(b), Occupations Code; and

(2) accept gifts, grants, and donations of real or personal property from any entity, subject to limitations or conditions set by law, for the purposes of this subchapter.

SECTION 2. The heading to Subchapter I, Chapter 61, Education Code, is amended to read as follows:

SUBCHAPTER I. CONTRACTS FOR FAMILY PRACTICE ~~[MEDICAL]~~ RESIDENCY PROGRAMS

SECTION 3. The Texas Higher Education Coordinating Board

1 shall adopt rules to implement Subchapter I-1, Chapter 61,  
2 Education Code, as added by this Act, not later than January 1,  
3 2012.

4       SECTION 4. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2011.