

By: Hardcastle

H.B. No. 1885

Substitute the following for H.B. No. 1885:

By: Jackson

C.S.H.B. No. 1885

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of the board of directors of the Knox
3 County Hospital District to employ physicians and other health care
4 providers.

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

6 SECTION 1. Subchapter B, Chapter 1050, Special District
7 Local Laws Code, is amended by adding Section 1050.0615 to read as
8 follows:

9 Sec. 1050.0615. EMPLOYMENT OF PHYSICIANS AND HEALTH CARE
10 PROVIDERS. (a) The board may employ physicians and other health
11 care providers as necessary for the efficient operation of the
12 district.

13 (b) This section may not be construed as authorizing the
14 board to supervise or control the practice of medicine, as
15 prohibited by Subtitle B, Title 3, Occupations Code.

16 (c) The board may employ a physician and retain all or part
17 of the professional income generated by the physician for medical
18 services provided at the hospital and other health facilities owned
19 or operated by the hospital if the hospital satisfies the
20 requirements of this subchapter.

21 (d) The board shall:

22 (1) appoint a chief medical officer, who may be a
23 member of the hospital's medical staff; and

24 (2) adopt, maintain, and enforce policies to ensure

1 that a physician employed by the hospital exercises the physician's
2 independent medical judgment in providing care to patients at the
3 hospital.

4 (e) The policies adopted under this section must include:

5 (1) policies relating to:

6 (A) credentialing;

7 (B) quality assurance;

8 (C) utilization review;

9 (D) peer review; and

10 (E) medical decision-making; and

11 (2) the implementation of a complaint mechanism to
12 process and resolve complaints regarding interference or attempted
13 interference with a physician's independent medical judgment.

14 (f) The policies adopted under this section must be approved
15 by the chief medical officer of the hospital.

16 (g) For all matters relating to the practice of medicine,
17 each physician employed by the hospital under this subchapter shall
18 ultimately report to the chief medical officer of the hospital. The
19 policies adopted under this section:

20 (1) must be approved by the chief medical officer of
21 the hospital; and

22 (2) shall control and prevail in the event of a
23 conflict with any other policies of a hospital under this
24 subchapter.

25 (h) The chief medical officer shall immediately report to
26 the Texas Medical Board any action or event that the chief medical
27 officer reasonably and in good faith believes constitutes a

1 compromise of the independent medical judgment of a physician in
2 caring for a patient."

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2011.