

By: Nelson

S.B. No. 143

A BILL TO BE ENTITLED

AN ACT

relating to programs designed to enhance medical education in this state.

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

SECTION 1. Sections 58.007(a), (b), and (g), Education Code, are amended to read as follows:

(a) Nothing in this section or Section 58.006 or 58.008 shall diminish or abolish the activities of the Family Practice Residency Advisory Committee established under Section 61.505. It is not the intent of this section to combine or assimilate advisory programs but only to add to and enhance the residency training of primary care physicians in Texas.

(b)(1) The Primary Care Graduate Medical Education Expansion Program [~~Residency~~] Advisory Committee is created and shall consist of 12 members as follows:

(A) seven members shall be licensed physicians, one appointed by each of the following:

- (i) the Texas Medical Association;
- (ii) the Texas Osteopathic Medical Association;
- (iii) the Texas Academy of Family Physicians;
- (iv) the Texas Society of the American College of Osteopathic Family Physicians;

- 1 (v) the Texas Society of Internal Medicine;
2 (vi) the Texas Pediatric Society; and
3 (vii) the Texas Association of
4 Obstetricians and Gynecologists;

5 (B) one member shall be appointed by the Office
6 ~~[Texas Department]~~ of Rural Affairs;

7 (C) one member shall be appointed by ~~[the Bureau~~
8 ~~of Community Oriented Primary Care at]~~ the Department of State
9 Health Services; and

10 (D) three members shall be members of the public,
11 one appointed by each of the following:

- 12 (i) the governor;
13 (ii) the lieutenant governor; and
14 (iii) the speaker of the house of
15 representatives.

16 (2) No individual who has a direct financial interest
17 in primary care residency training programs shall be appointed to
18 serve as a member of the advisory committee.

19 (g) The committee shall review for the Texas Higher
20 Education Coordinating Board applications for approval and funding
21 of the expansion of existing primary care graduate medical
22 education residency training programs or the establishment of new
23 Accreditation Council for Graduate Medical Education or American
24 Osteopathic Association nationally accredited primary care
25 residency programs ~~[program expansion]~~ as described in Section
26 58.008 ~~[and related support programs]~~, make recommendations to the
27 board relating to program funding ~~[the standards and criteria for~~

1 ~~approval of residency training and related support programs~~], and
2 perform such other duties as may be directed by the board.

3 SECTION 2. Section 58.008, Education Code, is amended to
4 read as follows:

5 Sec. 58.008. PRIMARY CARE GRADUATE MEDICAL EDUCATION
6 ~~[RESIDENCY PROGRAM]~~ EXPANSION PROGRAM. (a) Only primary care
7 residency programs ~~[positions]~~ in family practice, general
8 internal medicine, general pediatrics, and obstetrics and
9 gynecology shall be eligible for ~~[these]~~ funds under this section.

10 (b) The advisory committee created under Section 58.007
11 shall recommend to the Texas Higher Education Coordinating Board an
12 allocation of new primary care residency positions by residency
13 program that are to receive state support.

14 (c) In ~~[The committee shall take into consideration in]~~
15 recommending an allocation among the four primary care specialties
16 designated for expansion, the committee shall:

17 (1) consider the following factors:

18 (A) ~~[(1)]~~ the current primary care specialties
19 mix of Texas physicians in direct practice;

20 (B) ~~[(2)]~~ projections for the primary care
21 specialties mix of Texas physicians in direct practice;

22 (C) ~~[(3)]~~ the current state-supported primary
23 care positions;

24 (D) ~~[(4)]~~ geographic shortages for primary care
25 physicians;

26 (E) ~~[(5)]~~ federally designated and
27 state-designated ~~[state-designated]~~ medically underserved areas

1 and health professional shortage areas the boundaries of which
2 correspond to entire counties;

3 (F) [~~(6)~~] the demographics of the Texas
4 population; [~~and~~]

5 (G) [~~(7)~~] the infrastructure of existing
6 residency programs;

7 (H) the residency program's history of retention
8 and the program's success rate in placing physicians in communities
9 in this state following completion of residency training, with an
10 emphasis on the program's success rate in placing physicians in
11 underserved communities; and

12 (I) the amount of matching funds a residency
13 program receives or will receive from community collaborative
14 groups; and

15 (2) give priority to residency programs located in
16 community-based settings such as federally qualified health
17 centers, community health clinics, and rural hospitals.

18 (d) [~~(e)~~] Once funds are awarded to support a resident
19 position as part of a primary care residency program's expansion
20 efforts [~~of a particular residency program~~], the board shall
21 continue to award grant funds to support that residency position in
22 that specific residency program to maintain support for its
23 expansion efforts for all three or four postgraduate years of the
24 residency training curriculum until the resident physician
25 appointed to that position has completed or left the program. The
26 residency position would then be eligible for reallocation by the
27 Primary Care Graduate Medical Education Expansion Program

1 ~~Residency~~ Advisory Committee.

2 (e) A grant awarded under this section to an existing or new
3 primary care residency program may be used to pay the salaries of
4 resident physicians in an amount not to exceed \$15,000 per resident
5 physician.

6 (f) The board shall adopt rules for the administration of
7 this section.

8 SECTION 3. Chapter 61, Education Code, is amended by adding
9 Subchapter II to read as follows:

10 SUBCHAPTER II. GRANT PROGRAMS TO SUPPORT

11 PRIMARY CARE IN THIS STATE

12 Sec. 61.9821. PRIMARY CARE PHYSICIAN INCENTIVE PROGRAM.

13 Subject to available funds, the board shall establish a grant
14 program under which the board awards incentive payments to medical
15 schools that demonstrate improvement in the graduation rates of
16 physicians who work in primary care in this state following
17 completion of their residency training.

18 Sec. 61.9822. PRIMARY CARE INNOVATION PROGRAM. Subject to
19 available funds, the board shall establish a grant program under
20 which the board awards incentive payments to medical schools that
21 develop innovative programs designed to increase the number of
22 primary care physicians in this state.

23 Sec. 61.9823. GIFTS, GRANTS, AND DONATIONS. In addition to
24 other money appropriated by the legislature, the board may solicit,
25 accept, and spend gifts, grants, and donations from any public or
26 private source for the purposes of the programs established under
27 this subchapter.

1 Sec. 61.9824. RULES. In consultation with each medical
2 school in this state, the board shall adopt rules for the
3 administration of the programs established under this subchapter.

4 The rules must include:

5 (1) administrative provisions relating to each type of
6 grant under this subchapter, such as:

7 (A) eligibility criteria for medical schools;

8 (B) grant application procedures;

9 (C) guidelines relating to grant amounts;

10 (D) procedures for evaluating grant
11 applications; and

12 (E) procedures for monitoring the use of grants;

13 and

14 (2) a method for tracking the effectiveness of grants
15 that:

16 (A) using data reasonably available to the board,
17 considers relevant information regarding the career paths of
18 medical school graduates during the four-year period following
19 their graduation; and

20 (B) evaluates whether and for how long those
21 graduates work in primary care in this state.

22 Sec. 61.9825. ADMINISTRATIVE COSTS. A reasonable amount,
23 not to exceed three percent, of any money appropriated for purposes
24 of this subchapter may be used by the board to pay the costs of
25 administering this subchapter.

26 SECTION 4. Section 61.532, Education Code, is amended to
27 read as follows:

1 Sec. 61.532. ELIGIBILITY. (a) To be eligible to receive
2 repayment assistance, a physician must:

3 (1) apply to the coordinating board;

4 (2) at the time of application, be licensed to
5 practice medicine under Subtitle B, Title 3, Occupations Code;

6 (3) have completed one, two, three, or four
7 consecutive years of practice:

8 (A) in a health professional shortage area
9 designated by the Department of State Health Services; or

10 (B) in accordance with Subsection (b); and

11 (4) provide health care services to:

12 (A) recipients under the medical assistance
13 program authorized by Chapter 32, Human Resources Code;

14 (B) enrollees under the child health plan program
15 authorized by Chapter 62, Health and Safety Code; or

16 (C) persons committed to a secure correctional
17 facility operated by or under contract with the Texas Juvenile
18 Justice Department [~~Youth Commission~~] or persons confined in a
19 secure correctional facility operated by or under contract with any
20 division of the Texas Department of Criminal Justice.

21 (b) A physician may complete one or more years of practice
22 required by Subsection (a)(3) in a location other than a health
23 professional shortage area designated by the Department of State
24 Health Services if, during the year or years, the physician
25 provides health care services to a designated percentage of
26 patients who are recipients under the medical assistance program
27 authorized by Chapter 32, Human Resources Code, or the Texas

1 Women's Health Program according to criteria established by the
2 board in consultation with the Health and Human Services
3 Commission. The Health and Human Services Commission shall verify
4 a physician's compliance with this subsection, and the board and
5 the commission shall enter into a memorandum of understanding for
6 that purpose.

7 SECTION 5. Section 61.5391, Education Code, is amended by
8 amending Subsection (a) and adding Subsection (c) to read as
9 follows:

10 (a) The physician education loan repayment program account
11 is an account in the general revenue fund. The account is composed
12 of:

- 13 (1) gifts and grants contributed to the account;
- 14 (2) earnings on the principal of the account; and
- 15 (3) other amounts deposited to the credit of the
16 account, including:

17 (A) money deposited under Section 61.539(b) or
18 61.5392;

19 (B) legislative appropriations; and

20 (C) money deposited under Section 155.2415, Tax
21 Code.

22 (c) Money deposited to the credit of the account under
23 Section 61.5392 may be used only to provide loan repayment
24 assistance to physicians who establish eligibility for the
25 assistance under Section 61.532(a)(4)(A) or (b).

26 SECTION 6. Subchapter J, Chapter 61, Education Code, is
27 amended by adding Section 61.5392 to read as follows:

1 Sec. 61.5392. MEDICAID MATCHING FUNDS. (a) For the
2 purposes of this subchapter, the Health and Human Services
3 Commission shall seek any federal matching funds that are available
4 to support Medicaid services in this state.

5 (b) Any amount received under Subsection (a) shall be
6 transferred to the comptroller to be deposited in the physician
7 education loan repayment program account established under Section
8 61.5391. Section 403.095, Government Code, does not apply to any
9 amount deposited under this section.

10 SECTION 7. (a) As soon as practicable after the effective
11 date of this Act, the Texas Higher Education Coordinating Board
12 shall adopt rules for the implementation and administration of the
13 grant programs established under Subchapter II, Chapter 61,
14 Education Code, as added by this Act. The board may adopt the
15 initial rules in the manner provided by law for emergency rules.

16 (b) Not later than January 1, 2014, the Texas Higher
17 Education Coordinating Board shall establish the grant programs
18 required by Subchapter II, Chapter 61, Education Code, as added by
19 this Act, and shall begin to award grants under those programs not
20 later than September 1, 2014.

21 (c) Not later than October 1, 2013, the Texas Higher
22 Education Coordinating Board and the Health and Human Services
23 Commission shall enter into the memorandum of understanding
24 required by Section 61.532(b), Education Code, as added by this
25 Act. As soon as practicable after the date of the memorandum, the
26 board shall begin awarding loan repayment assistance to physicians
27 who establish eligibility under that subsection.

1 SECTION 8. This Act takes effect September 1, 2013.