

By: Schwertner, et al.  
(Lozano)

S.B. No. 1066

Substitute the following for S.B. No. 1066:

By: Lozano

C.S.S.B. No. 1066

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to meeting the graduate medical education needs of new  
3 medical degree programs offered by public institutions of higher  
4 education and to the employment status of certain residents  
5 participating in certain graduate medical education programs.

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

7 SECTION 1. Subchapter C, Chapter 61, Education Code, is  
8 amended by adding Section 61.05122 to read as follows:

9 Sec. 61.05122. GRADUATE MEDICAL EDUCATION REQUIREMENT FOR  
10 NEW MEDICAL DEGREE PROGRAMS. (a) In this section, "graduate  
11 medical education program" has the meaning assigned by Section  
12 58A.001.

13 (b) As soon as practicable after an institution of higher  
14 education completes preliminary planning for a new doctor of  
15 medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree  
16 program, the institution promptly shall provide to the board a  
17 specific plan regarding the addition of first-year residency  
18 positions for the graduate medical education program to be offered  
19 in connection with the new degree program. The plan must propose an  
20 increase in the number of those first-year residency positions  
21 that, when combined with the total number of existing first-year  
22 residency positions in this state, will be sufficient to reasonably  
23 accommodate the number of anticipated graduates from all doctor of  
24 medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree

1 programs that are offered in this state, including the degree  
2 program proposed by the institution, and to provide adequate  
3 opportunity for those graduates to remain in this state for the  
4 clinical portion of their education.

5 (c) Submission of a plan described by this section is a  
6 prerequisite for the board's approval of the proposed degree  
7 program.

8 (d) An institution's projected increase in first-year  
9 residency positions is presumed to be sufficient in its plan if the  
10 increase will achieve the purposes of this section with respect to  
11 all graduates from degree programs described by this section that  
12 are offered or will be offered by the institution.

13 (e) The institution may consult with the board as necessary  
14 to develop the plan required by this section.

15 SECTION 2. Section 312.003, Health and Safety Code, is  
16 amended to read as follows:

17 Sec. 312.003. AGREEMENT REQUIRED. This chapter applies  
18 only if the ~~[a]~~ medical and dental unit or ~~[and a]~~ supported medical  
19 or dental school agrees ~~[agree]~~, either directly or through a  
20 coordinating entity, to provide or cause to be provided medical,  
21 dental, or other patient care or services or to perform or cause to  
22 be performed medical, dental, or clinical education, training, or  
23 research activities in a coordinated or cooperative manner in a  
24 public or nonprofit hospital.

25 SECTION 3. Section 312.007, Health and Safety Code, is  
26 amended by adding Subsection (c) to read as follows:

27 (c) A resident engaged in graduate medical education in a

1 public or nonprofit hospital in association with a medical and  
2 dental unit is an employee of a state agency regardless of whether  
3 the resident receives a stipend or other payment from the medical  
4 and dental unit for services performed as a resident.

5 SECTION 4. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2017.