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By:  Turner of Tarrant H.B. No. 4039

A BILL TO BE ENTITLED

AN ACT

relating to meeting the graduate medical education needs of medical degree programs offered or proposed by public institutions of higher education.

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

SECTION 1.  Section 61.05122, Education Code, is amended by amending Subsections (b) and (d) and adding Subsections (b-1) and (d-1) to read as follows:

(b)  As soon as practicable after an institution of higher education completes preliminary planning for a new doctor of medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree program, the institution promptly shall provide to the board a specific plan regarding the addition of first-year residency positions for the graduate medical education program to be offered in connection with the [~~new~~] degree program.  The plan must propose an increase in the number of those first-year residency positions that, when combined with the total number of existing first-year residency positions in this state, will be sufficient to reasonably accommodate the number of anticipated graduates from all doctor of medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree programs that are offered in this state, including the degree program proposed by the institution, and to provide adequate opportunity for those graduates to remain in this state for the clinical portion of their education.

(b-1)  If in its preliminary planning the institution establishes a long-term targeted maximum individual enrollment class size that differs from its proposed initial maximum individual enrollment class size, the institution's plan under Subsection (b) must include a proposed increase in the number of first-year residency positions over time that will be sufficient to accommodate, in accordance with the requirements of that subsection, the institution's planned increase or increases in maximum individual enrollment class size.

(d)  An institution's projected increase in first-year residency positions is presumed to be sufficient in its plan if, considering both the institution's proposed initial maximum individual enrollment class size and any projected growth in that class size, the increase will achieve the purposes of this section with respect to all graduates from degree programs described by this section that are offered or will be offered by the institution.

(d-1)  Any institution that experiences substantial growth in an individual enrollment class size after the approval of its plan promptly shall provide to the board an updated plan that complies with Subsection (b) based on the institution's actual maximum individual enrollment class size and, if the institution anticipates continued substantial growth, based on the institution's targeted maximum individual enrollment class size. The board shall adopt rules that clearly define what constitutes a substantial growth in class size for an institution subject to this section.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.