86R7022 SRA-F

By:  Hall S.B. No. 1236

A BILL TO BE ENTITLED

AN ACT

relating to authority of the Hunt Memorial Hospital District to appoint, contract for, or employ physicians.

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

SECTION 1.  Subchapter B, Chapter 1044, Special District Local Laws Code, is amended by adding Section 1044.0605 to read as follows:

Sec. 1044.0605.  EMPLOYMENT OF PHYSICIANS. (a) The board may appoint, contract for, or employ physicians as the board considers necessary for the efficient operation of the district.

(b)  The term of an employment contract entered into under this section may not exceed four years.

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

(d)  The authority granted to the board under Subsection (a) to employ physicians shall apply as necessary for the district to fulfill the district's statutory mandate to provide medical care for the needy and indigent residents of the district as provided by Section 1044.101.

(e)  The medical executive board of the district shall adopt, maintain, and enforce policies to ensure that a physician employed by the district exercises the physician's independent medical judgment in providing care to patients.

(f)  The policies adopted by the medical executive board under this section must include:

(1)  policies relating to:

(A)  governance of the medical executive board;

(B)  credentialing;

(C)  quality assurance;

(D)  utilization review;

(E)  peer review;

(F)  medical decision-making; and

(G)  due process; and

(2)  rules requiring the disclosure of financial conflicts of interest by a member of the medical executive board.

(g)  The medical executive board and the district's board shall jointly develop and implement a conflict management process to resolve any conflict between a policy adopted by the medical executive board under this section and a policy of the district.

(h)  A member of the medical executive board who is a physician shall provide biennially to the chair of the medical executive board a signed, verified statement indicating that the board member:

(1)  is licensed by the Texas Medical Board;

(2)  will exercise independent medical judgment in all medical executive board matters, including matters relating to:

(A)  credentialing;

(B)  quality assurance;

(C)  utilization review;

(D)  peer review;

(E)  medical decision-making; and

(F)  due process;

(3)  will exercise the board member's best efforts to ensure compliance with the policies that are adopted or established by the medical executive board; and

(4)  will report immediately to the Texas Medical Board any action or event that the board member reasonably and in good faith believes constitutes a compromise of the independent medical judgment of a physician in caring for a patient.

(i)  For all matters relating to the practice of medicine, each physician employed by the district shall ultimately report to the chair of the medical executive board for the district.

SECTION 2.  This Act takes effect September 1, 2019.