

By: Metcalf

H.B. No. 2867

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Sam Houston State University
College of Osteopathic Medicine.

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

SECTION 1. Subchapter D, Chapter 96, Education Code, is
amended by adding Section 96.66 to read as follows:

Sec. 96.66. SAM HOUSTON STATE UNIVERSITY COLLEGE OF
OSTEOPATHIC MEDICINE. (a) In this section:

(1) "Board" means the board of regents of the Texas
State University System.

(2) "College" means the Sam Houston State University
College of Osteopathic Medicine established under this section.

(3) "University" means Sam Houston State University.

(b) The Sam Houston State University College of Osteopathic
Medicine is a college of the university and is under the management
and control of the board with degrees offered under the name and
authority of the university.

(c) The board may prescribe courses leading to customary
degrees and may adopt rules for the operation, control, and
management of the college as necessary for conducting a college of
osteopathic medicine of the first class.

(d) The provost of the university, on behalf of the board,
may execute and carry out an affiliation or coordinating agreement
with any other entity or institution.

1 (e) The board may solicit, accept, and administer gifts and
2 grants from any public or private source for the use and benefit of
3 the college.

4 (f) In addition to the college's facilities, the board may
5 enter into agreements under which additional facilities used in the
6 college's teaching and research programs, including libraries,
7 auditoriums, research facilities, and medical education buildings,
8 may be provided by a public or private entity.

9 (g) A teaching hospital considered suitable by the board may
10 be provided by a public or private entity. The hospital may not be
11 constructed, maintained, or operated with state funds.

12 (h) Notwithstanding any other law, the university is not
13 entitled to receive any formula funding for the college.

14 SECTION 2. Section 51.821(4), Education Code, is amended to
15 read as follows:

16 (4) "Participating medical school" means each of the
17 following entities:

18 (A) the medical school at The University of Texas
19 Health Science Center at Houston;

20 (B) the medical school at The University of Texas
21 Southwestern Medical Center;

22 (C) the medical school at The University of Texas
23 Health Science Center at San Antonio;

24 (D) the medical school at The University of Texas
25 Medical Branch at Galveston;

26 (E) the medical school at the Texas Tech
27 University Health Sciences Center at Lubbock;

1 (F) the medical school at the Texas Tech
2 University Health Sciences Center at El Paso;

3 (G) the Baylor College of Medicine;

4 (H) the college of osteopathic medicine at the
5 University of North Texas Health Science Center at Fort Worth;
6 [~~and~~]

7 (I) the medical school at The Texas A&M
8 University System Health Science Center; and

9 (J) the college of osteopathic medicine at Sam
10 Houston State University.

11 SECTION 3. Section 58.002(a)(1), Education Code, is amended
12 to read as follows:

13 (1) "Resident physician" means a person who is
14 appointed a resident physician by a school of medicine in The
15 University of Texas System, the Texas Tech University System, The
16 Texas A&M University System, or the University of North Texas
17 System or by the Sam Houston State University College of
18 Osteopathic Medicine or the Baylor College of Medicine and who:

19 (A) has received a Doctor of Medicine or a Doctor
20 of Osteopathic Medicine degree from the Baylor College of Medicine
21 or from an approved school of medicine; or

22 (B) is a citizen of Texas and has received a
23 Doctor of Medicine or a Doctor of Osteopathic Medicine degree from
24 some other school of medicine that is accredited by the Liaison
25 Committee on Medical Education or by the Bureau of Professional
26 Education of the American Osteopathic Association.

27 SECTION 4. Sections 59.01(1) and (3), Education Code, are

1 amended to read as follows:

2 (1) "Medical staff or students" means medical doctors,
3 doctors of osteopathy, dentists, veterinarians, and podiatrists
4 appointed to the faculty or professional medical staff employed for
5 student health services by The University of Texas System, The
6 Texas A&M University System, the Texas Tech University System, the
7 Sam Houston State University College of Osteopathic Medicine, or
8 the University of North Texas Health Science Center at Fort Worth,
9 either full time or who, although appointed less than full time
10 (including volunteers), either devote their total professional
11 service to such appointment or provide services to patients by
12 assignment from the department chairman; and interns, residents,
13 fellows, and medical or dental students, veterinary students, and
14 students of osteopathy participating in a patient-care program in
15 The University of Texas System, The Texas A&M University System,
16 the Texas Tech University System, the Sam Houston State University
17 College of Osteopathic Medicine, or the University of North Texas
18 Health Science Center at Fort Worth.

19 (3) "Board" means the board of regents of The
20 University of Texas System, the board of regents of The Texas A&M
21 University System, the board of regents of the Texas Tech
22 University System, the board of regents of the Texas State
23 University System, or the board of regents of the University of
24 North Texas.

25 SECTION 5. Sections 59.02(a) and (c), Education Code, are
26 amended to read as follows:

27 (a) Each board may establish a separate self-insurance fund

1 to pay any damages adjudged in a court of competent jurisdiction or
2 a settlement of any medical malpractice claim against a member of
3 the medical staff or students arising from the exercise of the
4 member's [~~his~~] appointment, duties, or training with The University
5 of Texas System, The Texas A&M University System, the Texas Tech
6 University System, the Sam Houston State University College of
7 Osteopathic Medicine, or the University of North Texas Health
8 Science Center at Fort Worth.

9 (c) On the establishment of each fund, transfers to the fund
10 shall be made in an amount and at such intervals as determined by
11 the board. Each board may receive and accept any gifts or donations
12 specified for the purposes of this subchapter and deposit those
13 gifts or donations into the fund. Each board may invest money
14 deposited in the fund, and any income received shall be retained in
15 the fund. The money shall be deposited in any of the approved
16 depository banks of The University of Texas System, The Texas A&M
17 University System, the Texas Tech University System, the Texas
18 State University System, or the University of North Texas Health
19 Science Center at Fort Worth. All expenditures from the funds shall
20 be paid pursuant to approval by the boards.

21 SECTION 6. Section 61.003(5), Education Code, is amended to
22 read as follows:

23 (5) "Medical and dental unit" means The Texas A&M
24 University System Health Science Center and its component
25 institutions, agencies, and programs; the Texas Tech University
26 Health Sciences Center; the Texas Tech University Health Sciences
27 Center at El Paso; the Sam Houston State University College of

1 Osteopathic Medicine; The University of Texas Medical Branch at
2 Galveston; The University of Texas Southwestern Medical Center; The
3 University of Texas Medical School at San Antonio; The University
4 of Texas Dental Branch at Houston; The University of Texas M. D.
5 Anderson Cancer Center; The University of Texas Graduate School of
6 Biomedical Sciences at Houston; The University of Texas Dental
7 School at San Antonio; The University of Texas Medical School at
8 Houston; The University of Texas Health Science Center--South Texas
9 and its component institutions, if established under Subchapter N,
10 Chapter 74; the nursing institutions of The Texas A&M University
11 System and The University of Texas System; and The University of
12 Texas School of Public Health at Houston; and such other medical or
13 dental schools as may be established by statute or as provided in
14 this chapter.

15 SECTION 7. Section 61.501(1), Education Code, is amended to
16 read as follows:

17 (1) "Medical school" means the medical school at The
18 University of Texas Health Science Center at Houston, the medical
19 school at The University of Texas Southwestern Medical Center, the
20 medical school at The University of Texas Health Science Center at
21 San Antonio, The University of Texas Medical Branch at Galveston,
22 the medical school at The University of Texas at Austin, the medical
23 school at The University of Texas Rio Grande Valley, the medical
24 education program of The University of Texas Health Science Center
25 at Tyler, the medical school at the Texas Tech University Health
26 Sciences Center, the medical school at the Texas Tech University
27 Health Sciences Center at El Paso, the Sam Houston State University

1 College of Osteopathic Medicine, the Baylor College of Medicine,
2 the college of osteopathic medicine at the University of North
3 Texas Health Science Center at Fort Worth, or the medical school at
4 the Texas A&M University Health Science Center.

5 SECTION 8. Section 63.002(c), Education Code, is amended to
6 read as follows:

7 (c) The amount available for distribution from the fund may
8 be appropriated only for programs that benefit medical research,
9 health education, or treatment programs at the following
10 health-related institutions of higher education:

11 (1) The University of Texas Health Science Center at
12 San Antonio;

13 (2) The University of Texas M. D. Anderson Cancer
14 Center;

15 (3) The University of Texas Southwestern Medical
16 Center;

17 (4) The University of Texas Medical Branch at
18 Galveston;

19 (5) The University of Texas Health Science Center at
20 Houston;

21 (6) The University of Texas Health Science Center at
22 Tyler;

23 (7) The University of Texas Health Science
24 Center--South Texas and its component institutions, if established
25 under Subchapter N, Chapter 74;

26 (8) The Texas A&M University Health Science Center;

27 (9) the University of North Texas Health Science

1 Center at Fort Worth;

2 (10) the Texas Tech University Health Sciences Center;

3 (11) the Texas Tech University Health Sciences Center
4 at El Paso; ~~and~~

5 (12) the Sam Houston State University College of
6 Osteopathic Medicine; and

7 (13) Baylor College of Medicine, if a contract between
8 Baylor College of Medicine and the Texas Higher Education
9 Coordinating Board is in effect under Section 61.092.

10 SECTION 9. (a) As soon as practicable after the effective
11 date of this Act, the Sam Houston State University College of
12 Osteopathic Medicine shall:

13 (1) enter into the agreement with the Joint Admission
14 Medical Program Council required by Section 51.829, Education Code;
15 and

16 (2) select an appropriate faculty member to represent
17 the college on the council.

18 (b) The Sam Houston State University College of Osteopathic
19 Medicine shall provide internships and mentoring under the Joint
20 Admission Medical Program not later than the 2022-2023 academic
21 year to admit participating students to the college under the
22 program.

23 SECTION 10. The Sam Houston State University College of
24 Osteopathic Medicine is eligible to receive funding under
25 Subchapter A, Chapter 63, Education Code, beginning with
26 allocations for the state fiscal year that begins September 1,
27 2019.

1 SECTION 11. This Act takes effect immediately if it
2 receives a vote of two-thirds of all the members elected to each
3 house, as provided by Section 39, Article III, Texas Constitution.
4 If this Act does not receive the vote necessary for immediate
5 effect, this Act takes effect September 1, 2019.