

By: King of Parker

H.B. No. 4663

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Parker County Hospital District to employ physicians.

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

SECTION 1. Subchapter B, Chapter 1085, Special District Local Laws Code, is amended by adding Section 1085.0585 to read as follows:

Sec. 1085.0585. EMPLOYMENT OF PHYSICIANS. (a) The board may employ physicians as the board considers necessary for the efficient operation of the district.

(b) The board shall adopt and maintain policies to ensure that a physician employed under this section exercises independent medical judgment when providing care to patients at a district facility. The policies adopted under this subsection must include policies relating to:

- (1) credentialing;
- (2) quality assurance;
- (3) utilization review;
- (4) peer review;
- (5) medical decision-making; and
- (6) due process.

(c) A physician employed by the district under this section is subject to the same standards and procedures regarding credentialing, peer review, quality of care, and privileges as a

1 physician not employed by the district.

2 (d) The district shall give equal consideration regarding
3 the issuance of credentials and privileges to physicians employed
4 by the district and physicians not employed by the district.

5 (e) A physician employed by the district shall retain
6 independent medical judgment in providing care to patients at a
7 facility operated by the district and may not be penalized for
8 reasonably advocating for patient care.

9 (f) The board shall appoint a chief medical officer for the
10 district who must be a physician. For all matters relating to the
11 practice of medicine, each physician employed by the district shall
12 ultimately report to the chief medical officer of the district. The
13 chief medical officer shall notify the Texas Medical Board that the
14 district is employing physicians under this section and that the
15 chief medical officer is the district's designated contact with the
16 Texas Medical Board. The chief medical officer shall immediately
17 report to the Texas Medical Board any action or event that the chief
18 medical officer reasonably and in good faith believes constitutes a
19 compromise of the independent medical judgment of a physician in
20 caring for a patient.

21 (g) This section may not be construed as altering, voiding,
22 or prohibiting any relationship between a district and a physician,
23 including a contract or arrangement with an approved nonprofit
24 health corporation that is certified under Section 162.001(b),
25 Occupations Code, and that holds a certificate of authority issued
26 under Chapter 844, Insurance Code.

27 (h) A contract to employ a physician under this section may

1 not include a covenant not to compete on termination of the
2 contract.

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

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