

1-1 By: King of Parker (Senate Sponsor - Fallon) H.B. No. 4663
1-2 (In the Senate - Received from the House May 6, 2019;
1-3 May 7, 2019, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 17, 2019, reported favorably by
1-5 the following vote: Yeas 7, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the authority of the Parker County Hospital District to
1-18 employ physicians.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subchapter B, Chapter 1085, Special District
1-21 Local Laws Code, is amended by adding Section 1085.0585 to read as
1-22 follows:

1-23 Sec. 1085.0585. EMPLOYMENT OF PHYSICIANS. (a) The board
1-24 may employ physicians as the board considers necessary for the
1-25 efficient operation of the district.

1-26 (b) The board shall adopt and maintain policies to ensure
1-27 that a physician employed under this section exercises independent
1-28 medical judgment when providing care to patients at a district
1-29 facility. The policies adopted under this subsection must include
1-30 policies relating to:

- 1-31 (1) credentialing;
- 1-32 (2) quality assurance;
- 1-33 (3) utilization review;
- 1-34 (4) peer review;
- 1-35 (5) medical decision-making; and
- 1-36 (6) due process.

1-37 (c) A physician employed by the district under this section
1-38 is subject to the same standards and procedures regarding
1-39 credentialing, peer review, quality of care, and privileges as a
1-40 physician not employed by the district.

1-41 (d) The district shall give equal consideration regarding
1-42 the issuance of credentials and privileges to physicians employed
1-43 by the district and physicians not employed by the district.

1-44 (e) A physician employed by the district shall retain
1-45 independent medical judgment in providing care to patients at a
1-46 facility operated by the district and may not be penalized for
1-47 reasonably advocating for patient care.

1-48 (f) The board shall appoint a chief medical officer for the
1-49 district who must be a physician. For all matters relating to the
1-50 practice of medicine, each physician employed by the district shall
1-51 ultimately report to the chief medical officer of the district. The
1-52 chief medical officer shall notify the Texas Medical Board that the
1-53 district is employing physicians under this section and that the
1-54 chief medical officer is the district's designated contact with the
1-55 Texas Medical Board. The chief medical officer shall immediately
1-56 report to the Texas Medical Board any action or event that the chief
1-57 medical officer reasonably and in good faith believes constitutes a
1-58 compromise of the independent medical judgment of a physician in
1-59 caring for a patient.

1-60 (g) This section may not be construed as altering, voiding,
1-61 or prohibiting any relationship between a district and a physician,

2-1 including a contract or arrangement with an approved nonprofit
2-2 health corporation that is certified under Section 162.001(b),
2-3 Occupations Code, and that holds a certificate of authority issued
2-4 under Chapter 844, Insurance Code.

2-5 (h) A contract to employ a physician under this section may
2-6 not include a covenant not to compete on termination of the
2-7 contract.

2-8 (i) This section may not be construed to authorize the board
2-9 to supervise or control the practice of medicine, as prohibited by
2-10 Subtitle B, Title 3, Occupations Code.

2-11 SECTION 2. This Act takes effect September 1, 2019.

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