

By: Hall

S.B. No. 1236

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authority of the Hunt Memorial Hospital District to
3 appoint, contract for, or employ physicians.

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

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

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

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

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

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

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

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

3 (1) policies relating to:

4 (A) governance of the medical executive board;

5 (B) credentialing;

6 (C) quality assurance;

7 (D) utilization review;

8 (E) peer review;

9 (F) medical decision-making; and

10 (G) due process; and

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

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

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

21 (1) is licensed by the Texas Medical Board;

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

24 (A) credentialing;

25 (B) quality assurance;

26 (C) utilization review;

27 (D) peer review;

1 (E) medical decision-making; and

2 (F) due process;

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

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

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

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