

AN ACT

relating to meeting the graduate medical education needs of medical degree programs offered or proposed by public institutions of higher education.

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

SECTION 1. Section 61.05122, Education Code, is amended by amending Subsections (b) and (d) and adding Subsections (b-1) and (d-1) to read as follows:

(b) As soon as practicable after an institution of higher education completes preliminary planning for a new doctor of medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree program, the institution promptly shall provide to the board a specific plan regarding the addition of first-year residency positions for the graduate medical education program to be offered in connection with the ~~new~~ degree program. The plan must propose an increase in the number of those first-year residency positions that, when combined with the total number of existing first-year residency positions in this state, will be sufficient to reasonably accommodate the number of anticipated graduates from all doctor of medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree programs that are offered in this state, including the degree program proposed by the institution, and to provide adequate opportunity for those graduates to remain in this state for the clinical portion of their education.

1       (b-1) If in its preliminary planning the institution  
2 establishes a long-term targeted maximum individual enrollment  
3 class size that differs from its proposed initial maximum  
4 individual enrollment class size, the institution's plan under  
5 Subsection (b) must include a proposed increase in the number of  
6 first-year residency positions over time that will be sufficient to  
7 accommodate, in accordance with the requirements of that  
8 subsection, the institution's planned increase or increases in  
9 maximum individual enrollment class size.

10       (d) An institution's projected increase in first-year  
11 residency positions is presumed to be sufficient in its plan if,  
12 considering both the institution's proposed initial maximum  
13 individual enrollment class size and any projected growth in that  
14 class size, the increase will achieve the purposes of this section  
15 with respect to all graduates from degree programs described by  
16 this section that are offered or will be offered by the institution.

17       (d-1) Any institution that experiences substantial growth  
18 in an individual enrollment class size after the approval of its  
19 plan promptly shall provide to the board an updated plan that  
20 complies with Subsection (b) based on the institution's actual  
21 maximum individual enrollment class size and, if the institution  
22 anticipates continued substantial growth, based on the  
23 institution's targeted maximum individual enrollment class size.  
24 The board shall adopt rules that clearly define what constitutes a  
25 substantial growth in class size for an institution subject to this  
26 section.

27       SECTION 2. This Act takes effect immediately if it receives

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

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1378 passed the Senate on April 9, 2019, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1378 passed the House on May 3, 2019, by the following vote: Yeas 139, Nays 1, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor