

**House Bill 2867**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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.

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

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

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(g) A teaching hospital considered suitable by the board may be provided by a public or private entity. The hospital may not be constructed, maintained, or operated with state funds.  
(h) Notwithstanding any other law, the university is not entitled to receive any formula funding for the college.

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

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

- (A) the medical school at The University of Texas Health Science Center at Houston;
- (B) the medical school at The University of Texas Southwestern Medical Center;
- (C) the medical school at The University of Texas Health Science Center at San Antonio;
- (D) the medical school at The University of Texas Medical Branch at Galveston;
- (E) the medical school at the Texas Tech University Health Sciences Center at Lubbock;
- (F) the medical school at the Texas Tech University Health Sciences Center at El Paso;
- (G) the Baylor College of Medicine;
- (H) the college of osteopathic medicine at the University of North Texas Health Science Center at Fort Worth; ~~and~~
- (I) the medical school at The Texas A&M University System Health Science Center; ~~and~~
- (J) the college of osteopathic medicine at Sam Houston State University.

No equivalent provision.

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

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

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

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

SECTION 4. Sections 59.01(1) and (3), Education Code, are amended to read as follows:

(1) "Medical staff or students" means medical doctors, doctors of osteopathy, dentists, veterinarians, and podiatrists appointed to the faculty or professional medical staff employed for student health services by The University of Texas System, The Texas A&M University System, the Texas Tech University System, the Sam Houston State University College of Osteopathic Medicine, or the University of North Texas Health Science Center at Fort Worth, either full time or who, although appointed less than full time (including volunteers), either devote their total

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professional service to such appointment or provide services to patients by assignment from the department chairman; and interns, residents, fellows, and medical or dental students, veterinary students, and students of osteopathy participating in a patient-care program in The University of Texas System, The Texas A&M University System, the Texas Tech University System, the Sam Houston State University College of Osteopathic Medicine, or the University of North Texas Health Science Center at Fort Worth.

(3) "Board" means the board of regents of The University of Texas System, the board of regents of The Texas A&M University System, the board of regents of the Texas Tech University System, the board of regents of the Texas State University System, or the board of regents of the University of North Texas.

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

(a) Each board may establish a separate self-insurance fund to pay any damages adjudged in a court of competent jurisdiction or a settlement of any medical malpractice claim against a member of the medical staff or students arising from the exercise of the member's [his] appointment, duties, or training with The University of Texas System, The Texas A&M University System, the Texas Tech University System, the Sam Houston State University College of Osteopathic Medicine, or the University of North Texas Health Science Center at Fort Worth.

(c) On the establishment of each fund, transfers to the fund shall be made in an amount and at such intervals as determined by the board. Each board may receive and accept

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any gifts or donations specified for the purposes of this subchapter and deposit those gifts or donations into the fund. Each board may invest money deposited in the fund, and any income received shall be retained in the fund. The money shall be deposited in any of the approved depository banks of The University of Texas System, The Texas A&M University System, the Texas Tech University System, the Texas State University System, or the University of North Texas Health Science Center at Fort Worth. All expenditures from the funds shall be paid pursuant to approval by the boards.

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

(5) "Medical and dental unit" means The Texas A&M University System Health Science Center and its component institutions, agencies, and programs; the Texas Tech University Health Sciences Center; the Texas Tech University Health Sciences Center at El Paso; the Sam Houston State University College of Osteopathic Medicine; The University of Texas Medical Branch at Galveston; The University of Texas Southwestern Medical Center; The University of Texas Medical School at San Antonio; The University of Texas Dental Branch at Houston; The University of Texas M. D. Anderson Cancer Center; The University of Texas Graduate School of Biomedical Sciences at Houston; The University of Texas Dental School at San Antonio; The University of Texas Medical School at Houston; The University of Texas Health Science Center--South Texas and its component institutions, if established under Subchapter N, Chapter 74; the nursing institutions of

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The Texas A&M University System and The University of Texas System; and The University of Texas School of Public Health at Houston; and such other medical or dental schools as may be established by statute or as provided in this chapter.

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

(1) "Medical school" means the medical school at The University of Texas Health Science Center at Houston, the medical school at The University of Texas Southwestern Medical Center, the medical school at The University of Texas Health Science Center at San Antonio, The University of Texas Medical Branch at Galveston, the medical school at The University of Texas at Austin, the medical school at The University of Texas Rio Grande Valley, the medical education program of The University of Texas Health Science Center at Tyler, the medical school at the Texas Tech University Health Sciences Center, the medical school at the Texas Tech University Health Sciences Center at El Paso, the Sam Houston State University College of Osteopathic Medicine, the Baylor College of Medicine, the college of osteopathic medicine at the University of North Texas Health Science Center at Fort Worth, or the medical school at the Texas A&M University Health Science Center.

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

(c) The amount available for distribution from the fund may be appropriated only for programs that benefit medical

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research, health education, or treatment programs at the following health-related institutions of higher education:

- (1) The University of Texas Health Science Center at San Antonio;
- (2) The University of Texas M. D. Anderson Cancer Center;
- (3) The University of Texas Southwestern Medical Center;
- (4) The University of Texas Medical Branch at Galveston;
- (5) The University of Texas Health Science Center at Houston;
- (6) The University of Texas Health Science Center at Tyler;
- (7) The University of Texas Health Science Center--South Texas and its component institutions, if established under Subchapter N, Chapter 74;
- (8) The Texas A&M University Health Science Center;
- (9) the University of North Texas Health Science Center at Fort Worth;
- (10) the Texas Tech University Health Sciences Center;
- (11) the Texas Tech University Health Sciences Center at El Paso; ~~and~~
- (12) the Sam Houston State University College of Osteopathic Medicine; and
- (13) Baylor College of Medicine, if a contract between Baylor College of Medicine and the Texas Higher Education Coordinating Board is in effect under Section 61.092.

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

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

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

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

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

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

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SECTION 8. Same as House version.

SECTION 9. Same as House version.

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