By:  Turner of Tarrant H.B. No. 3848

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Texas Higher Education Coordinating Board to issue a certificate of authority or certificate of authorization regarding professional degrees.

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

SECTION 1.  Section 61.303(c), Education Code, is amended as follows:

(c)  The board may ~~issue~~ approve the issuance of a certificate of authorization to grant degrees to an exempt institution or person ~~a certificate of authorization to grant degrees~~. The board may adopt rules regarding a process to allow an exempt institution or person to apply ~~for~~ and receive approval for a certificate of authorization under this section. The board shall not issue a certificate of authorization to any institution offering a professional degree or representing its credits earned in this state are applicable toward a professional degree except to the extent allowed for an authorized institution operating under a State Authorization Reciprocity Agreement (SARA). In this subsection, "professional degree" includes Doctor of Medicine (M.D.), Doctor of Osteopathy (D.O.), Doctor of Dental Surgery (D.D.S.), Doctor of Veterinary Medicine (D.V.M.), Juris Doctor (J.D.), and Bachelor of Laws (LL.B).

SECTION 2.  Section 61.306, Education Code, is amended by adding Subsection (d) to read as follows:

(d)  The board may not issue a certificate of authority for a private postsecondary institution to grant a professional degree as defined in Sec. 61.306(c), or to represent that credits earned in this state are applicable toward a professional degree unless the Board determines that all of the following conditions have been met:

(1)  the capacity and ability of similar professional degree programs at institutions of higher education and private or independent institutions of higher education, as those terms are defined in Sec. 61.003, are insufficient to meet the current market needs for the state;

(2)  the institution seeking the certificate of authority has the necessary faculty and other resources to ensure student success;

(3)  sufficient placements are available to students for required field-based experience, such as clinicals or clerkships, in the proposed professional degree; and

(4)  the institution seeking the certificate of authority is subject to, and will meet, the same standard for approval and all academic criteria applicable to similar professional degree programs at institutions of higher education and private or independent institutions of higher education, as those terms are defined in Sec. 61.003.

SECTION 3.  This Act takes effect September 1, 2021.