

By: Turner of Tarrant

H.B. No. 3848

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of the Texas Higher Education  
3 Coordinating Board to issue a certificate of authority or  
4 certificate of authorization regarding professional degrees.

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

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

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

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

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

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

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

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

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

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