88R8089 BEE-F

By:  Oliverson H.B. No. 2556

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of physician graduates and the authority of an insured to select a physician graduate under the insured's health insurance policy; requiring an occupational license; authorizing fees.

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

SECTION 1.  Chapter 155, Occupations Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. PHYSICIAN GRADUATE

Sec. 155.201.  DEFINITION. In this subchapter, "physician graduate" means an individual licensed under this subchapter to practice medicine under a supervising practice agreement as described by Section 155.205.

Sec. 155.202.  RULES. The board shall adopt rules in accordance with this subchapter relating to the licensing and regulation of physician graduates, including rules relating to:

(1)  procedures and fees for the issuance, term, and renewal of a license under this subchapter;

(2)  practices and requirements for the supervision of physician graduates; and

(3)  any other matter necessary to ensure protection of the public, including disciplinary procedures.

Sec. 155.203.  LICENSE ISSUANCE. On application, the board shall issue a license to practice medicine under this subchapter to an applicant who:

(1)  is a resident of this state and is:

(A)  a United States citizen or a legal permanent resident; or

(B)  otherwise authorized under federal law to work in the United States;

(2)  has proficiency in the English language;

(3)  is a graduate of:

(A)  a board-approved medical school or osteopathic medical school; or

(B)  a medical school located outside of the United States that is not approved by the board, if the applicant is licensed in good standing to practice medicine in another country;

(4)  has passed the second component of the United States Medical Licensing Examination or the equivalent component of another board-approved licensing examination described by Section 155.0511;

(5)  is not enrolled in a board-approved postgraduate residency program; and

(6)  meets any other requirement prescribed by board rule.

Sec. 155.204.  FEES. The amount of a fee for the issuance or renewal of a license under this subchapter may not exceed the amount of a fee for the issuance or renewal of a physician assistant license under Chapter 204.

Sec. 155.205.  SUPERVISING PRACTICE AGREEMENT REQUIRED. (a) A physician graduate shall enter into a supervising practice agreement with a physician who is:

(1)  licensed under this subtitle; and

(2)  not currently subject to disciplinary action by the board.

(b)  A physician graduate who has not entered into a supervising practice agreement described by Subsection (a) may not practice or attempt to practice medicine.

Sec. 155.206.  LIMITED PRACTICE BY LICENSE HOLDER. A physician graduate license holder may provide only primary care services, as defined by board rule, under supervision in accordance with the supervising practice agreement described by Section 155.205.

Sec. 155.207.  LIABILITY OF SUPERVISING PHYSICIAN. A physician who enters into a supervising practice agreement with a physician graduate under Section 155.205 is responsible at all times for the oversight of and is liable for any medical act performed by the physician graduate in the provision of primary care services.

Sec. 155.208.  IDENTIFICATION REQUIREMENTS; USE OF TITLE. (a) The holder of a license issued under this subchapter shall at all times while practicing as a physician graduate display a personal identification document identifying the license holder as a physician graduate.

(b)  A physician graduate may use the following titles or abbreviations:

(1)  "doctor"; or

(2)  "Dr." or "doc."

Sec. 155.209.  STATUS AS GENERAL PRACTITIONER. A physician graduate license holder is considered a general practitioner for purposes of regulations of the federal Centers for Medicare and Medicaid Services.

Sec. 155.210.  LICENSE RENEWAL. The board may not renew a license issued under this subchapter unless the board verifies that the license holder has practiced in accordance with this subchapter under a supervising practice agreement described by Section 155.205 in the license term preceding the application for renewal.

Sec. 155.211.  DENIAL, SUSPENSION, OR REVOCATION OF LICENSE. The board may deny an application for licensure or suspend or revoke a license issued under this subchapter:

(1)  for any ground provided by Chapter 164 or board rule; and

(2)  in the manner provided by Chapter 164.

SECTION 2.  Section 1451.001, Insurance Code, is amended by adding Subdivision (16-a) to read as follows:

(16-a) "Physician graduate" means an individual licensed under Subchapter E, Chapter 155, Occupations Code, to practice medicine under a supervising practice agreement as described by Section 155.205, Occupations Code.

SECTION 3.  Subchapter C, Chapter 1451, Insurance Code, is amended by adding Section 1451.129 to read as follows:

Sec. 1451.129.  SELECTION OF PHYSICIAN GRADUATE. An insured may select a physician graduate to provide the services scheduled in the health insurance policy that are within the scope of the physician graduate's license under Subchapter E, Chapter 155, Occupations Code.

SECTION 4.  Not later than December 1, 2023, the Texas Medical Board shall adopt rules as necessary to implement Subchapter E, Chapter 155, Occupations Code, as added by this Act.

SECTION 5.  Section 1451.129, Insurance Code, as added by this Act, applies only to a health insurance policy that is delivered, issued for delivery, or renewed on or after January 1, 2024.

SECTION 6.  This Act takes effect September 1, 2023.