

AN ACT

relating to the issuance by the Texas Medical Board of certain licenses to practice medicine and the authority of an insured to select certain license holders under the insured's health policy; requiring an occupational license; authorizing fees.

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

ARTICLE 1. SHORT TITLE

SECTION 1.001. This Act shall be known as the Decreasing Occupational Certification Timelines, Obstacles, and Regulations (DOCTOR) Act.

ARTICLE 2. FOREIGN LICENSE HOLDERS

SECTION 2.001. Subchapter C, Chapter 155, Occupations Code, is amended by adding Section 155.1015 to read as follows:

Sec. 155.1015. ISSUANCE OF PROVISIONAL LICENSE TO CERTAIN FOREIGN MEDICAL LICENSE HOLDERS WITH OFFERS OF EMPLOYMENT. (a) Subject to Subsection (b), on application, the board shall issue an initial provisional license to practice medicine to an applicant who:

(1) has been granted a degree of doctor of medicine or a substantially similar degree by a program of medical education that meets eligibility requirements for the applicant to apply for certification by the Educational Commission for Foreign Medical Graduates;

(2) has been licensed in good standing to practice

medicine in another country and is not the subject of any pending disciplinary action before the licensing body;

(3) has completed a residency or a substantially similar postgraduate medical training required by the applicant's country of licensure;

(4) passes the Texas medical jurisprudence examination;

(5) has proficiency in the English language;

(6) is authorized under federal law to work in the United States;

(7) has been offered employment in this state as a physician by a person who provides health care services in the normal course of business in a facility-based or group practice setting, including a health system, hospital, hospital-based facility, freestanding emergency facility, or urgent care clinic;

(8) has passed the first and second steps of the examination described by Section 155.0511(7) in accordance with Section 155.056(a); and

(9) meets any other requirement the board prescribes by rule.

(b) Unless the applicant is a citizen of the United States or has been issued a visa to legally work in the United States, the board may not issue a provisional license under Subsection (a) to an applicant who is a citizen of a country:

(1) identified by the United States Director of National Intelligence as a country that poses a risk to the national security of the United States in the most recent Annual Threat

Assessment of the U.S. Intelligence Community issued pursuant to Section 108B, National Security Act of 1947 (50 U.S.C. Section 3043b); or

(2) identified as a country subject to prohibitions in the International Traffic in Arms Regulations (22 C.F.R. Part 126.1).

(c) A provisional license issued under Subsection (a) expires on the second anniversary of the date the provisional license was issued.

(d) The holder of a provisional license issued under Subsection (a) may practice only in:

(1) a facility-based or group practice setting with:

(A) an Accreditation Council for Graduate Medical Education residency program; or

(B) an American Osteopathic Association residency program;

(2) an Accreditation Council for Graduate Medical Education-affiliated setting; or

(3) an American Osteopathic Association-affiliated setting.

(e) On application, the board shall renew a provisional license to practice medicine issued under Subsection (a) if the applicant:

(1) has passed the first and second steps of the examination described by Section 155.0511(7) in accordance with Section 155.056(a); and

(2) holds a valid certificate issued by the

Educational Commission for Foreign Medical Graduates.

(f) The holder of a provisional license renewed under Subsection (e):

(1) may practice only in a rural community or medically underserved area or health professional shortage area, as designated by the United States Department of Health and Human Services, that has a current shortage of physicians; and

(2) is not subject to the restrictions of Subsection (d).

(g) Subject to Subsection (h), the board on application shall issue a license under this subtitle to the holder of a provisional license under this section if the provisional license holder satisfies the examination requirements of Section 155.051.

(h) The board may not issue as provided by Subsection (g) a license under this subtitle to an applicant who:

(1) is subject to board investigation or discipline for conduct that occurred while holding the provisional license; or

(2) has been convicted of, is on deferred adjudication community supervision or deferred disposition for, or is under active investigation for the commission of:

(A) a felony; or

(B) a misdemeanor involving moral turpitude.

(i) The board shall adopt rules for the issuance of a provisional license under Subsection (a), the renewal of a provisional license under Subsection (e), and the issuance of a license under this subtitle as provided by Subsection (g), including rules establishing eligibility for and fees applicable to

1 the licenses. The board may adopt rules for the reporting of board
2 specialty certification requirement information as requested by a
3 board specialty organization.

4 ARTICLE 3. PHYSICIAN GRADUATES

5 SECTION 3.001. Chapter 155, Occupations Code, is amended by
6 adding Subchapter E to read as follows:

7 SUBCHAPTER E. PHYSICIAN GRADUATES

8 Sec. 155.201. DEFINITIONS. In this subchapter:

9 (1) "Physician graduate" means an individual issued a
10 limited license under this subchapter to practice medicine under a
11 supervising practice agreement with a sponsoring physician.

12 (2) "Sponsoring physician" means a physician who
13 enters into a supervising practice agreement with a physician
14 graduate.

15 (3) "Supervising practice agreement" means an
16 agreement between a sponsoring physician and a physician graduate
17 regarding the sponsoring physician's supervision of the physician
18 graduate's practice of medicine.

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

22 (1) procedures and fees for the issuance, term, and
23 renewal of a license under this subchapter, including continuing
24 medical education requirements for renewal of the license;

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

27 (3) any other matter necessary to ensure protection of

1 the public, including disciplinary procedures.

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

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

6 (A) a United States citizen;

7 (B) a legal permanent resident of the United
8 States; or

9 (C) otherwise authorized under federal law to
10 work in the United States;

11 (2) has proficiency in the English language;

12 (3) has graduated:

13 (A) in the two years preceding the date that the
14 applicant initially applies for a physician graduate license, from:

15 (i) a board-recognized accredited medical
16 school or osteopathic medical school in the United States or
17 Canada; or

18 (ii) a medical school located outside of
19 the United States and Canada that the board recognizes as
20 acceptable; or

21 (B) if the applicant is licensed in good standing
22 to practice medicine in another country, from a medical school
23 located outside of the United States and Canada that the board
24 recognizes as acceptable;

25 (4) has passed the first and second components of the
26 United States Medical Licensing Examination or equivalent
27 components of another board-approved licensing examination

1 described by Section 155.0511;

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

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

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

10 Sec. 155.205. SPONSORING PHYSICIAN. (a) A physician is
11 eligible to enter into a supervising practice agreement as a
12 sponsoring physician if the physician:

13 (1) holds a full and unrestricted license to practice
14 medicine issued under this subtitle;

15 (2) is not currently the subject of disciplinary
16 action by the board or the medical licensing authority of any other
17 jurisdiction;

18 (3) is certified by a medical specialty member board
19 of:

20 (A) the American Board of Medical Specialties;

21 (B) the American Osteopathic Association Bureau
22 of Osteopathic Specialists;

23 (C) the American Board of Oral and Maxillofacial
24 Surgery; or

25 (D) any other medical specialty member
26 organization the board recognizes; and

27 (4) practices medicine in the specialty for which the

1 physician is certified under Subdivision (3).

2 (b) A sponsoring physician who enters into a supervising
3 practice agreement with a physician graduate shall comply with all
4 board rules related to the supervision of physician graduates.

5 (c) The board by rule shall establish the maximum number of
6 physician graduates that a sponsoring physician may supervise under
7 supervising practice agreements.

8 Sec. 155.206. SUPERVISING PRACTICE AGREEMENT REQUIRED. (a)
9 A physician graduate shall enter into a supervising practice
10 agreement with a sponsoring physician.

11 (b) A physician graduate who has not entered into a
12 supervising practice agreement may not practice or attempt to
13 practice medicine.

14 (c) A physician graduate who enters into a supervising
15 practice agreement may practice under the delegation and
16 supervision of another physician if:

17 (1) the sponsoring physician authorizes the practice
18 of the physician graduate under the delegation and supervision of
19 the other physician in a written document that identifies the other
20 physician by name; and

21 (2) the other physician is:

22 (A) part of the sponsoring physician's physician
23 group or facility; and

24 (B) certified in the same specialty as the
25 sponsoring physician by a medical specialty member board of:

26 (i) the American Board of Medical
27 Specialties;

(ii) the American Osteopathic Association
Bureau of Osteopathic Specialists;

(iii) the American Board of Oral and
Maxillofacial Surgery; or

(iv) any other medical specialty member
organization recognized by the board.

(d) The physician profile under Section 154.006 of a
sponsoring physician or physician graduate must indicate in the
manner prescribed by board rule that the sponsoring physician or
physician graduate has entered into a supervising practice
agreement.

Sec. 155.207. LIMITED PRACTICE BY LICENSE HOLDER. (a) A
physician graduate may:

(1) practice only in a county with a population of less
than 100,000; and

(2) provide only medical services in the specialty in
which the physician graduate's sponsoring physician is certified as
described by Section 155.205(a)(3) under supervision in accordance
with a supervising practice agreement.

(b) Before a license holder under this subchapter provides a
treatment, consultation, or other medical service, the license
holder must disclose to the patient that the license holder:

(1) is a physician graduate; and

(2) has not completed any formal specialized
postgraduate or resident training.

Sec. 155.208. LIABILITY OF SPONSORING PHYSICIAN. A
sponsoring physician who enters into a supervising practice

1 agreement with a physician graduate retains legal responsibility
2 for a physician graduate's patient care activities, including the
3 provision of care and treatment to a patient in a health care
4 facility.

5 Sec. 155.209. IDENTIFICATION REQUIREMENTS; USE OF TITLE.

6 (a) The holder of a license issued under this subchapter shall at
7 all times while practicing as a physician graduate display a
8 personal identification document identifying the license holder as
9 a physician graduate.

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

12 (1) "doctor"; or

13 (2) "Dr." or "doc."

14 Sec. 155.210. STATUS OF PHYSICIAN GRADUATE. A physician
15 graduate license holder is considered a general practitioner for
16 purposes of regulations of the federal Centers for Medicare and
17 Medicaid Services.

18 Sec. 155.211. LICENSE RENEWAL. The board may not renew a
19 license issued under this subchapter unless:

20 (1) the board verifies that the license holder has
21 practiced in accordance with this subchapter under a supervising
22 practice agreement with a sponsoring physician in the license term
23 preceding the application for renewal; and

24 (2) the license holder satisfies the continuing
25 medical education requirements established by board rule.

26 Sec. 155.212. DENIAL, SUSPENSION, OR REVOCATION OF LICENSE.
27 The board may deny an application for licensure or suspend or revoke

1 a license issued under this subchapter:

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

4 (2) in the manner provided by Chapter 164 and board
5 rule.

6 SECTION 3.002. Section 1451.001, Insurance Code, is amended
7 by adding Subdivision (16-a) to read as follows:

8 (16-a) "Physician graduate" has the meaning assigned
9 by Section 155.201, Occupations Code.

10 SECTION 3.003. Subchapter C, Chapter 1451, Insurance Code,
11 is amended by adding Section 1451.129 to read as follows:

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

17 SECTION 3.004. Section 1451.129, Insurance Code, as added
18 by this Act, applies only to a health insurance policy that is
19 delivered, issued for delivery, or renewed on or after January 1,
20 2026.

21 ARTICLE 4. RULEMAKING

22 SECTION 4.001. Not later than January 1, 2026, the Texas
23 Medical Board shall adopt rules as necessary to implement the
24 following provisions of the Occupations Code, as added by this Act:

25 (1) Section 155.1015; and

26 (2) Subchapter E, Chapter 155.

1 ARTICLE 5. EFFECTIVE DATE

2 SECTION 5.001. This Act takes effect September 1, 2025.

H.B. No. 2038

President of the Senate

Speaker of the House

I certify that H.B. No. 2038 was passed by the House on May 6, 2025, by the following vote: Yeas 144, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2038 on May 29, 2025, by the following vote: Yeas 108, Nays 31, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2038 was passed by the Senate, with amendments, on May 26, 2025, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor