

BILL ANALYSIS

H.B. 4039
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Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law requires public institutions of higher education that offer doctor of medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree programs to provide specific plans regarding the corresponding addition of first-year residency positions. It has been suggested that despite this requirement, the number of such positions remains insufficient to reasonably accommodate the number of anticipated M.D. and D.O. graduates from all Texas programs because institutions may not update the required plans to keep pace with the growth of their degree programs. H.B. 4039 seeks to address this issue by requiring an institution's plan for increasing residency positions to more accurately reflect targeted and actual growth in the relevant degree program class sizes.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

ANALYSIS

H.B. 4039 amends the Education Code to require a plan regarding the addition of first-year residency positions in connection with a new doctor of medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree program proposed by a public institution of higher education, if in preliminary planning for the program the institution establishes a long-term targeted maximum class size that differs from its proposed initial maximum class size, to include a proposed increase in the number of first-year residency positions over time that will be sufficient to accommodate the institution's planned increase or increases in maximum class size.

H.B. 4039 revises the condition on which an institution's projected increase in first-year residency positions is presumed to be sufficient in its plan to specify that the basis on which the projected increase must achieve the purposes of statutory provisions relating to maintaining a statewide balance between the number of anticipated M.D. and D.O. graduates and the number of first-year residency positions is a consideration of both the institution's proposed initial maximum class size and any projected growth in that class size. The bill requires any institution that experiences substantial growth in an applicable class size after the approval of its plan promptly to provide to the Texas Higher Education Coordinating Board an updated plan that complies with the statutory requirement to increase first year residency positions accordingly, based on the institution's actual maximum class size and, if the institution anticipates continued substantial growth, based on the institution's targeted maximum class size. The bill requires the coordinating board to adopt rules that clearly define what constitutes a substantial growth in

class size for an applicable institution.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.