

BILL ANALYSIS

Senate Research Center

H.B. 1877
By: Hardcastle (Madla)
Intergovernmental Relations
5/9/2003
Engrossed

DIGEST AND PURPOSE

Currently, studies show that physicians in rural areas are unable to take time away from their practices because of the lack of other physicians to provide coverage in their absence. Additionally, studies indicate that rural physicians work longer hours, see more patients, treat a higher percentage of indigent care patients, and receive less compensation than do their urban colleagues. H.B. 1877 requires the Office of Rural and Community Affairs to instigate a state-supported rural physician relief program to help rural areas retain physicians.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 487, Government Code, by adding Subchapter N, as follows:

SUBCHAPTER N. RURAL PHYSICIAN RELIEF PROGRAM

Sec. 487.601. DEFINITIONS. Defines “physician,” “relief services,” and “rural.”

Sec. 487.602. RURAL PHYSICIAN RELIEF PROGRAM. Requires the Office of Rural and Community Affairs (ORCA) to create a program to provide affordable relief services to rural physicians practicing in the fields of general family medicine, general internal medicine, and general pediatrics to facilitate the ability of those physicians to take time away from their practice.

Sec. 487.603. FEES. (a) Requires ORCA to charge a fee for rural physicians to participate in the program.

(b) Requires the fees collected under this section to be deposited in a special account in the general revenue fund that may be appropriated only to ORCA for administration of this subchapter.

Sec. 487.604. FUNDING. Authorizes ORCA to solicit and accept gifts, grants, donations, and contributions to support the program.

Sec. 487.605. RELIEF PHYSICIAN’S EXPENSES. Requires ORCA to pay a physician providing relief under the program using fees collected by the center.

Sec. 487.606. PRIORITY ASSIGNMENT OF RELIEF PHYSICIANS. (a) Requires ORCA to assign physicians to provide relief to a rural area in accordance with certain priorities.

(b) Requires ORCA, in determining where to assign relief physicians, to consider the number of physicians in the area available to provide relief services and the distance in that area to the nearest physician who practices in the same speciality.

(c) Authorizes residency program directors, at the request of ORCA, to assist

ORCA in coordinating the assignment of relief physicians.

Sec. 487.607. RELIEF PHYSICIAN RECRUITMENT. Requires ORCA to actively recruit physicians to participate in the program as relief physicians. Requires ORCA to concentrate on recruiting physicians involved in an accredited residency program in general pediatrics, general internal medicine, and general family medicine, physicians registered on ORCA's locum tenens registry, physicians employed at a medical school, and physicians working for private locum tenens groups.

Sec. 487.608. ADVISORY COMMITTEE. (a) Provides that the rural physician relief advisory committee is composed of certain members appointed by the executive committee.

(b) Requires the advisory committee to assist ORCA in administering the program.

SECTION 2. Amends Section 487.051, Government Code, to require ORCA to seek state and federal money available for economic development in rural areas for programs under this chapter. Makes a conforming change.

SECTION 3. Amends Section 106.026(b), Health and Safety Code, as added by Section 2, Chapter 1221, Acts of the 77th Legislature, Regular Session, 2001, by redesignating it as Section 487.056(b), Government Code, and amending it, as follows:

Sec. 487.056. (a) Created from existing text. Adds new language relating to a report on the activities of the Rural Foundation.

(b) Replaces "center" with "office" in existing text. Makes conforming changes.

SECTION 4. Amends Subchapter H, Chapter 106, Health and Safety Code, as added by Section 1, Chapter 831, Acts of the 77th Legislature, Regular Session, 2001 by redesignating it as Subchapter K, Chapter 487, Government Code, and amending it, as follows:

Redesignates SUBCHAPTER H as SUBCHAPTER K.

Redesignates Sections 106.251 through 106.254 as Sections 487.451 through 487.454.

Sec. 487.452. Requires the executive committee, in collaboration with Area Health Education Center Programs, to establish a community healthcare awareness and mentoring program for students to identify certain information.

SECTION 5. Amends Subchapter H, Chapter 106, Health and Safety Code, as added by Section 1, Chapter 1112, Acts of the 77th Legislature, Regular Session, 2001, by redesignating it as Subchapter L, Chapter 487, Government Code, and amending it, as follows:

Redesignates SUBCHAPTER H as SUBCHAPTER L.

Redesignates Sections 106.251 through 106.253 as Sections 487.501 through 487.503. Makes conforming changes.

SECTION 6. Amends Subchapter H, Chapter 106, Health and Safety Code, as added by Section 2, Chapter 435, Acts of the 77th Legislature, Regular Session, 2001, by redesignating it as Subchapter M, Chapter 487, Government Code, and amending it, as follows:

Redesignates SUBCHAPTER H as SUBCHAPTER M.

Redesignates Sections 106.301 through 106.310 as Sections 487.551 through 487.560. Makes conforming changes.

SECTION 7. Amends and reenacts Section 38.011(j), Education Code, as added by Section 1, Chapter 1418, Acts of the 76th Legislature, Regular Session, 1999, as amended by Section 4, Chapter 1424, Acts of the 77th Legislature, Regular Session, 2001, and as amended and redesignated as Section 38.060(a), Education Code, by Section 4.005, Chapter 1420, Acts of the 77th Legislature, Regular Session, 2001, to provide that this section applies only to a school-based health care center serving a certain area.

SECTION 8. Amends Section 61.0899, Education Code, to replace the “Center for Rural Health Initiatives” with the “Office of Rural Community Affairs.” Makes conforming changes.

SECTION 9. Amends Section 110.001, Health and Safety Code, as added by Chapter 1221, Acts of the 77th Legislature, Regular Session, 2001, to make conforming changes.

SECTION 10. Amends Section 110.002(c), Health and Safety Code, as added by Chapter 1221, Acts of the 77th Legislature, Regular Session, 2001, to make a conforming change.

SECTION 11. Amends Section 110.003(a), Health and Safety Code, as added by Chapter 1221, Acts of the 77th Legislature, Regular Session, 2001, to make a conforming change.

SECTION 12. Amends Section 110.004(b), Health and Safety Code, as added by Chapter 1221, Acts of the 77th Legislature, Regular Session, 2001, to add to the provisions governing the board of directors of the Rural Foundation the prohibition that a person formally affiliated with a Texas trade association that contracts with the foundation may not be a board member or employee of the foundation. Makes conforming changes.

SECTION 13. Amends Section 110.005(c), Health and Safety Code, as added by Chapter 1221, Acts of the 77th Legislature, Regular Session, 2001, to make a conforming change.

SECTION 14. Amends Section 110.010, Health and Safety Code, as added by Chapter 1221, Acts of the 77th Legislature, Regular Session, 2001, to make conforming changes.

SECTION 15. Amends Section 110.011(a), Health and Safety Code, as added by Chapter 1221, Acts of the 77th Legislature, Regular Session, 2001, to make a conforming change.

SECTION 16. Amends Section 110.012, Health and Safety Code, as added by Chapter 1221, Acts of the 77th Legislature, Regular Session, 2001, to make conforming changes.

SECTION 17. Amends Section 155.1025(a), Occupations Code, to make a conforming change.

SECTION 18. Reenacts Section 531.02172, Government Code, as added by Chapters 661 and 959, Acts of the 77th Legislature, Regular Session, 2001, and amends it to make a conforming change.

SECTION 19. Repealer:

- (1) Section 106.025(a), Health and Safety Code (Duties and Powers);
- (2) Section 106.029, Health and Safety Code (Designating Rural Hospitals); and
- (3) Section 106.043(b), Health and Safety Code (Advisory Committee).

SECTION 20. Effective date: September 1, 2003.