

BILL ANALYSIS

Senate Research Center
81R24395 YDB-F

H.B. 3674
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, applicants for medical licensure who are graduates from schools outside the United States and Canada must be eligible for licensure in the country of graduation in order to be licensed in Texas. This can be problematic where the eligibility criteria require the person to complete a term of service in the foreign country and the person cannot either because they are training here in the United States or have chosen to work elsewhere.

This legislation removes the requirement that an applicant for a license to practice medicine who graduated from a medical school outside the United States and Canada present proof to the Texas Medical Board that the applicant is eligible for a license to practice medicine in the country in which the school is located. It allows foreign-trained physicians to be licensed if they are board certified in a specialty.

H.B. 3674 relates to the licensing requirements for a foreign-trained physician applicant.

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 Sections 155.0031(c) and (d), Occupations Code, as follows:

(c) Requires applicants for a license to practice medicine (license) to subscribe to an oath, rather than an oath in writing before an officer authorized by law to administer oaths.

(d) Requires an applicant to present proof satisfactory to the Texas Medical Board (TMB) that each medical school attended by the applicant is substantially equivalent to a Texas medical school as determined by TMB rule, or the applicant is specialty board certified by a specialty board organization acceptable to TMB. Makes nonsubstantive changes.

SECTION 2. Amends Section 155.004, Occupations Code, as follows:

Sec. 155.004. **ADDITIONAL ELIGIBILITY REQUIREMENTS FOR GRADUATES OF CERTAIN FOREIGN MEDICAL SCHOOLS.** Requires a license applicant who is a graduate of a medical school that is located outside the United States (U.S.) and Canada to present proof satisfactory to TMB that the applicant:

(1) Makes no changes to this subsection;

(2) has successfully completed at least three years of graduate medical training in the U.S. or Canada that was approved by TMB, or at least two years of graduate medical training in the U.S. or Canada that was approved by TMB and at least one year of graduate medical training outside the U.S. or Canada that was approved for advanced standing by a specialty board organization approved by TMB;

(3) Redesignates Subdivision (4) as Subdivision (3). Deletes existing Subdivision (3) (relating to requiring the applicant to present proof that the applicant is

eligible for a license in the country in which the school is located, except for any citizenship requirements); and

(4) Redesignates Subdivision (5) as Subdivision (4). Makes no further changes to this subdivision.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2009.