

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1082
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Health & Human Services
3/26/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas is a state with significant shortages in a variety of health care professions. Furthermore, physicians are not evenly distributed throughout the state. This legislation will help address the physician shortage issue by allowing qualified, out-of-state doctors to obtain Texas medical licenses.

C.S.S.B. 1082 provides that the timeframe to pass each part of the examination for a license to practice medicine and the limitation on examination attempts do not apply to an applicant who is licensed and in good standing as a physician in another state; has been licensed for at least five years; does not hold a medical license in the other state that has or has ever had any restrictions, disciplinary orders, or probation; and who will practice in a medically underserved area or a health manpower shortage area.

C.S.S.B. 1082 amends current law relating to examination requirements for certain applicants for a license to practice medicine.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Medical Board in SECTION 1 (Section 155.051, Occupations Code) and SECTION 2 (Section 155.056, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 155.051, Occupations Code, by adding Subsections (d) and (e), as follows:

(d) Provides that the time frame to pass each part of the examination to obtain a license to practice medicine does not apply to an applicant for a license to practice medicine who:

(1) is licensed and in good standing as a physician in another state;

(2) has been licensed for at least five years;

(3) does not hold a medical license in the other state that has or has ever had any restrictions, disciplinary orders, or probation; and

(4) will practice in a medically underserved area or a health manpower shortage area, as those terms are defined by Section 157.052 (Prescribing at Sites Serving Certain Medically Underserved Populations).

(e) Authorizes the Texas Medical Board (TMB) to by rule establish a process to verify that a person, after meeting the requirements of Subsection (d), practices only in an area described by Subsection (d)(4).

SECTION 2. Amends Section 155.056, Occupations Code, by amending Subsections (a) and (d) and adding Subsection (e) , as follows:

(a) Requires an applicant to pass:

(1) each individual part of an examination within five, rather than three, attempts;
and

(2) all parts of an examination collectively within nine attempts.

(d) Provides that the limitation on examination attempts does not apply to:

(1) an applicant who is specialty TMB certified by a specialty board that is a member of the American Board of Medical Specialties or is approved by the American Osteopathic Association; or

(2) an applicant who:

(A) is licensed and in good standing as a physician in another state;

(B) has been licensed for at least five years;

(C) does not hold a medical license in the other state that has or has ever had any restrictions, disciplinary orders, or probation; and

(D) will practice in a medically underserved area or a health manpower shortage area, as those terms are defined by Section 157.052.

Deletes existing text providing that the limitation on examination attempts by an applicant under Subsection (a) does not apply to an applicant who is licensed and in good standing as a physician in another state; has been licensed for at least five years; does not hold a medical license in the other state that has any restrictions, disciplinary orders, or probation; and has passed all but one part of the examination approved by TMB within three attempts and passed the remaining part of the examination within one additional attempt or passed the remaining part of the examination within six attempts if the applicant is specialty board certified by a specialty board that is a member of the American Board of Medical Specialties; or is approved by the American Osteopathic Association, and has completed in this state an additional two years of postgraduate medical training approved by TMB.

(e) Authorizes TMB to by rule establish a process to verify that a person who, after meeting the requirements of Subsection (d)(2), practices only in an area described by Subsection (d)(2)(D).

SECTION 3. Effective date: upon passage or September 1, 2013.