

## **BILL ANALYSIS**

Senate Research Center  
86R26323 KJE-F

C.S.H.B. 2867  
By: Metcalf; Oliverson (Creighton)  
Higher Education  
4/16/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

On August 14, 2018, the Texas Higher Education Coordinating Board approved Sam Houston State University's (SHSU) proposal to offer the degree of Doctor of Osteopathic Medicine, which included formalizing SHSU's intent to forgo the use of formula funding for the medical school.

In order to maximize the financial support opportunities for medical students, SHSU is seeking access to other public resources by codifying, through H.B. 2867, the medical school in Texas statute. Additionally, as the Joint Admission Medical Program (JAMP) mission aligns with the mission of the SHSU College of Osteopathic Medicine in encouraging highly qualified, economically disadvantaged and Texas resident students to pursue a medical education, H.B. 2867 would give SHSU inclusion in the statute authorizing access. (Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 2867 amends current law relating to the creation of the Sam Houston State University College of Osteopathic Medicine.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the board of regents of the Texas State University System in SECTION 1 (Section 96.66, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter D, Chapter 96, Education Code, by adding Section 96.66, as follows:

Sec. 96.66. SAM HOUSTON STATE UNIVERSITY COLLEGE OF OSTEOPATHIC MEDICINE. (a) Defines "board," and defines "college" as Sam Houston State University College of Osteopathic Medicine (college) and "university" as Sam Houston State University (university) for purposes of this section.

(b) Provides that the college is a college of the university and is under the management and control of the board of regents of the Texas State University System (board) with degrees offered under the name and authority of the university.

(c) Authorizes the board to prescribe courses leading to customary degrees and to adopt rules for the operation, control, and management of the college as necessary for conducting a college of osteopathic medicine of the first class.

(d) Authorizes the provost of the university, on behalf of the board, to execute and carry out an affiliation or coordinating agreement with any other entity or institution.

(e) Authorizes the board to solicit, accept, and administer gifts and grants from any public or private source for the use and benefit of the college.

(f) Authorizes the board, in addition to the college's facilities, to enter into agreements under which additional facilities used in the college's teaching and research programs, including libraries, auditoriums, research facilities, and medical education buildings, may be provided by a public or private entity.

(g) Authorizes a teaching hospital considered suitable by the board to be provided by a public or private entity. Prohibits the hospital from being constructed, maintained, or operated with state funds.

(h) Provides that, notwithstanding any other law, the university is not entitled to receive any formula funding for the college.

SECTION 2. Amends Section 58.002(a)(1), Education Code, to redefine "resident physician" to mean a person who is appointed a resident physician by certain entities of higher education, including the college, and who meets certain criteria.

SECTION 3. Amends Sections 59.01(1) and (3), Education Code, as follows:

(1) Redefines "medical staff or students" to include medical doctors of osteopathy, dentists, veterinarians, and podiatrists appointed to the faculty or professional medical staff employed for student health services by the college, among other entities of higher education. Makes a conforming change.

(3) Redefines "board" to include the board of regents of the Texas State University System.

SECTION 4. Amends Sections 59.02(a) and (c), Education Code, to make a nonsubstantive change and to make conforming changes to these subsections.

SECTION 5. Amends Section 61.003(5), Education Code, to make a conforming change.

SECTION 6. Amends Section 61.501(1), Education Code, to make a conforming change.

SECTION 7. Amends Section 63.002(c), Education Code, to make a nonsubstantive change and a conforming change, and to redesignate the existing text of Subdivision (12) as Subdivision (13).

SECTION 8. Provides that the college is eligible to receive funding under Subchapter A (Permanent Health Fund For Higher Education), Chapter 63, Education Code, beginning with allocations for the state fiscal year that begins September 1, 2019.

SECTION 9. Effective date: upon passage or September 1, 2019.