

BILL ANALYSIS

Senate Research Center
87R1305 BEE-F

H.B. 1616
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The COVID-19 pandemic has given rise to dramatic progress in the use and acceptance of telemedicine by both health care providers and patients. States across the country have relaxed physician licensing requirements to ensure the necessary flexibility to provide and receive care.

The regulatory relief provided under these numerous disaster declarations and public health emergencies will eventually end, but the physician-patient relationship will continue to develop as telemedicine will continue to play a more prominent role in the delivery of care. The growth of telemedicine and other technologies has created new opportunities to increase access to health care for patients in underserved or rural areas and to allow them to more easily connect with medical experts. Also, a robust supply of physicians to meet the demands of a growing population in our state is important. The choice and ability to practice medicine in multiple states could help meet these demands and make quality health care more accessible.

H.B. 1616 would create a voluntary, expedited pathway to licensure for qualified physicians who wish to practice in multiple states through the Interstate Medical Licensure Compact while ensuring that physicians are still subject to the laws and licensing regulations of each state in which the respective physician delivers care.

H.B. 1616 amends current law relating to the Interstate Medical Licensure Compact and authorizes fees.

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 Subtitle B, Title 3, Occupations Code, by adding Chapter 171, as follows:

CHAPTER 171. INTERSTATE MEDICAL LICENSURE COMPACT

Sec. 171.001. PURPOSE. Provides that, in order to strengthen access to health care, and in recognition of the advances in the delivery of health care, the member states of the Interstate Medical Licensure Compact (compact) have allied in common purpose to develop a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients. Provides that the compact creates another pathway for licensure and does not otherwise change a state's existing medical practice act. Provides that the compact also adopts the prevailing standard for licensure and affirms that the practice of medicine occurs where the patient is located at the time of the physician-patient encounter, and therefore, requires the physician to be under the jurisdiction of the state medical board where the patient is located. Provides that the medical boards that participate in the compact retain the jurisdiction to impose an adverse action against a license to practice medicine in that state issued to a physician through the procedures in the compact.

Sec. 171.002-171.024. Sets forth the language of the compact.

SECTION 2. Effective date: September 1, 2021.