

By: Delisi

H.B. No. 1973

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the procedure regarding an application for a
3 physician's license or registration.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 155.007, Occupations Code, is amended by
6 adding Subsections (h), (i), (j), (k), (l), and (m) to read as
7 follows:

8 (h) Not later than January 1 of each year:

9 (1) the executive director shall review the policy and
10 procedures the board uses to issue licenses;

11 (2) the board shall perform a needs assessment to
12 enable the board to determine the performance goals that the board
13 must meet to reduce any unreasonable delays in the timely
14 completion of the licensing process and to ensure the process is
15 completed in a reasonable number of days; and

16 (3) the executive director shall issue a report to the
17 governor, the Legislative Budget Board, and the relevant committees
18 of the senate and the house of representatives on the state of the
19 board's licensing process.

20 (i) The report required under Subsection (h)(3) must
21 include a projected yearly budget for board staffing and technology
22 improvements that will allow the board to issue licenses within a
23 reasonable number of days.

24 (j) The board and the executive director shall ensure that

1 any change in licensing policies or procedures is made only to
2 increase the number of licenses issued under this chapter, reduce
3 unreasonable delays in the licensing process, and maintain public
4 safety.

5 (k) The report required under Subsection (h)(3) must
6 include:

7 (1) any specialty certification information collected
8 from applicants, including any information similar to information
9 collected under Section 154.006;

10 (2) the location where each applicant intends to
11 practice; and

12 (3) in aggregate form, data collected since the prior
13 report relating to felony convictions, Class A and Class B
14 misdemeanor convictions, and deferred adjudications for felonies
15 and Class A and Class B misdemeanors.

16 (1) Not later than August 31, 2008, the board shall ensure
17 that the average time to process license applications under this
18 chapter does not exceed 51 days. The board shall include the
19 board's progress toward this performance measure target in the
20 report required under Subsection (h)(3).

21 (m) The board shall make an effort to give priority to an
22 application submitted by an applicant who informs the board that
23 the applicant intends to practice in a medically underserved area
24 of this state.

25 SECTION 2. Section 155.008, Occupations Code, is amended to
26 read as follows:

27 Sec. 155.008. CRIMINAL RECORD CHECK. (a) The board may

1 submit to the Department of Public Safety a complete set of
2 fingerprints of each license applicant, and the department shall
3 classify and check the fingerprints against those in the
4 department's fingerprint records. The department shall certify to
5 the board its findings regarding the criminal record of the
6 applicant or the applicant's lack of a criminal record.

7 (b) Each applicant shall submit information to the board
8 detailing any conviction for a felony or a Class A or Class B
9 misdemeanor or a deferred adjudication for a felony or Class A or
10 Class B misdemeanor for a violation relating to:

11 (1) Medicare, Medicaid or insurance fraud;

12 (2) the Texas Controlled Substances Act or
13 intoxication or alcoholic beverage offenses;

14 (3) sexual or assaultive offenses; and

15 (4) tax fraud or evasion.

16 SECTION 3. Section 156.001, Occupations Code, is amended by
17 adding Subsection (e) to read as follows:

18 (e) In addition to the information required by Subsection
19 (c), a license holder shall submit to the board with the
20 registration permit renewal application information not reported
21 on a license application or a previous permit renewal application
22 relating to a felony conviction, a conviction for a Class A or Class
23 B misdemeanor, or a deferred adjudication for a felony offense or
24 Class A or Class B misdemeanor offense for:

25 (1) Medicare, Medicaid or insurance fraud;

26 (2) the Texas Controlled Substances Act or
27 intoxication or alcoholic beverage offenses;

1 (3) sexual or assaultive offenses; and

2 (4) tax fraud or evasion.

3 SECTION 4. Section 155.1025(a), Occupations Code, is
4 amended to read as follows:

5 (a) The board shall adopt rules for expediting any
6 application for a license under this subtitle made by a person who
7 ~~[is licensed to practice medicine in another state or country and~~
8 ~~who]~~ submits an affidavit with the application stating that:

9 (1) the applicant intends to practice in a rural
10 community~~[, as determined by the Office of Rural Community~~
11 ~~Affairs]; or~~

12 (2) the applicant~~+~~
13 ~~[(A) has requested and is eligible for an~~
14 ~~immigration visa waiver as described by Section 12.0127, Health and~~
15 ~~Safety Code; and~~

16 ~~[(B)]~~ intends to practice medicine in a medically
17 underserved area or health professional shortage area, designated
18 by the United States Department of Health and Human Services, that
19 has a current shortage of physicians.

20 SECTION 5. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2007.