

BILL ANALYSIS

H.B. 661
By: Zerwas
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Noting the extensive licensing process a physician must go through in order to practice in a state other than the state in which the physician is licensed, interested parties assert the need for a new path for physician licensing through an interstate compact to help alleviate the physician shortage and eliminate barriers to the practice of medicine. Citing the fact that Texas is a member of other compacts that facilitate information sharing across state lines, the parties contend that the compact would serve primarily to facilitate the exchange of information among member states 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. 661 seeks to enhance the portability of a medical license and ensure the safety of patients by establishing the Interstate Medical Licensure Compact.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 661 amends the Occupations Code to establish the Interstate Medical Licensure Compact. The bill sets out eligibility requirements for a physician to receive an expedited license under the compact and the method through which a physician who does not meet the eligibility requirements may obtain a license to practice medicine in a member state. The bill provides for the designation and redesignation of a state of principal license by a physician for purposes of registration for expedited licensure through the compact. The bill sets out the procedures and requirements for the application for and issuance and renewal of an expedited license through the compact and authorizes a member state to impose a fee for the issuance or renewal of such a license.

H.B. 661 provides for the creation of the Interstate Medical Licensure Compact Commission to administer the compact and establishes provisions relating to the composition, meeting and voting requirements, general powers and duties, finance powers, organization and operation, and rulemaking functions of the interstate commission. The bill requires the interstate commission to establish a database of all physicians who hold or have applied for an expedited license under the compact and sets out reporting and information sharing requirements for member boards relating to physician investigatory or disciplinary matters. The bill sets out provisions relating to joint investigations of physicians by member states and relating to disciplinary actions taken by a member board against a physician holding an expedited licensed under the compact.

H.B. 661 provides for the oversight of the compact by the executive, legislative, and judicial branches of state government in each member state and establishes procedures for enforcement of the compact by the interstate commission. The bill sets out provisions relating to procedures in a case of member state default, dispute resolution, member state eligibility and withdrawal, the compact's effective date, amendments to the compact, and dissolution of the compact. The bill provides for the severability and liberal construction of compact provisions and specifies the binding effect of the compact and other laws of a member state.

EFFECTIVE DATE

September 1, 2015.