

AN ACT

relating to meeting the graduate medical education needs of new medical degree programs offered by public institutions of higher education and to the employment status of certain residents participating in certain graduate medical education programs.

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

SECTION 1. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.05122 to read as follows:

Sec. 61.05122. GRADUATE MEDICAL EDUCATION REQUIREMENT FOR NEW MEDICAL DEGREE PROGRAMS. (a) In this section, "graduate medical education program" has the meaning assigned by Section 58A.001.

(b) As soon as practicable after an institution of higher education completes preliminary planning for a new doctor of medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree program, the institution promptly shall provide to the board a specific plan regarding the addition of first-year residency positions for the graduate medical education program to be offered in connection with the new degree program. The plan must propose an increase in the number of those first-year residency positions that, when combined with the total number of existing first-year residency positions in this state, will be sufficient to reasonably accommodate the number of anticipated graduates from all doctor of medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree

1 programs that are offered in this state, including the degree
2 program proposed by the institution, and to provide adequate
3 opportunity for those graduates to remain in this state for the
4 clinical portion of their education.

5 (c) Submission of a plan described by this section is a
6 prerequisite for the board's approval of the proposed degree
7 program.

8 (d) An institution's projected increase in first-year
9 residency positions is presumed to be sufficient in its plan if the
10 increase will achieve the purposes of this section with respect to
11 all graduates from degree programs described by this section that
12 are offered or will be offered by the institution.

13 (e) The institution may consult with the board as necessary
14 to develop the plan required by this section.

15 SECTION 2. Section 312.003, Health and Safety Code, is
16 amended to read as follows:

17 Sec. 312.003. AGREEMENT REQUIRED. This chapter applies
18 only if the ~~[a]~~ medical and dental unit or ~~[and a]~~ supported medical
19 or dental school agrees ~~[agree]~~, either directly or through a
20 coordinating entity, to provide or cause to be provided medical,
21 dental, or other patient care or services or to perform or cause to
22 be performed medical, dental, or clinical education, training, or
23 research activities in a coordinated or cooperative manner in a
24 public or nonprofit hospital.

25 SECTION 3. Section 312.007, Health and Safety Code, is
26 amended by adding Subsection (c) to read as follows:

27 (c) A resident engaged in graduate medical education in a

1 public or nonprofit hospital in association with a medical and
2 dental unit is an employee of a state agency regardless of whether
3 the resident receives a stipend or other payment from the medical
4 and dental unit for services performed as a resident.

5 SECTION 4. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1066 passed the Senate on April 3, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 26, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1066 passed the House, with amendment, on May 23, 2017, by the following vote: Yeas 146, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor