

BILL ANALYSIS

H.B. 2976
By: Howard
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that the Travis County Healthcare District is different from some other hospital districts in that the district does not own and operate a hospital but rather contracts with private hospital systems to provide care for indigent and needy persons residing in the county. Concerns have been raised that the district is not on equal footing with some other hospital districts with respect to the authority to appoint, contract for, or employ physicians and it has been suggested that the district would benefit from such authority. H.B. 2976 seeks to address these concerns by providing certain authority for certain hospital districts to appoint, contract for, or employ physicians.

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. 2976 amends the Health and Safety Code to authorize the board of hospital managers of a hospital district created in a county with a population of more than 800,000 that was not included in the boundaries of a hospital district before September 1, 2003, in addition to certain statutory authority to employ physicians, to appoint, contract for, or employ physicians as the board considers necessary for the efficient operation of the district. The bill establishes that such employment authority applies as necessary for the district to fulfill the district's statutory mandate to provide medical care for the indigent and needy residents of the district. The bill prohibits the term of an employment contract entered into under the bill's provisions from exceeding four years and prohibits its provisions from being construed as authorizing the board to supervise or control the practice of medicine, as prohibited by the Medical Practice Act.

H.B. 2976 requires the district's medical executive board to adopt, maintain, and enforce policies to ensure that a physician employed by the district under the bill's provisions exercises the physician's independent medical judgment in providing care to patients. The bill sets out requirements for such policies. The bill requires the medical executive board and the board of hospital managers to jointly develop and implement a conflict management process to resolve any conflict between a policy adopted by the medical executive board under the bill's provisions and a district policy. The bill requires a medical executive board member who is a physician to provide biennially to the medical executive board chair a signed, verified statement regarding the member's licensure and professional conduct. The bill requires each physician employed by the district under the bill's provisions, for all matters relating to the practice of medicine, to ultimately report to the district's medical executive board chair.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.