

BILL ANALYSIS

H.B. 4663
By: King, Phil
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that the Parker County Hospital District is in need of a physician to staff its rural health clinic but that the district lacks the statutory authority to employ physicians. H.B. 4663 seeks to provide such authority.

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. 4663 amends the Special District Local Laws Code to authorize the board of directors of the Parker County Hospital District to employ physicians as the board considers necessary for the efficient operation of the district. The bill requires the board to adopt and maintain policies to ensure that a physician employed under the bill's provisions exercises independent medical judgment when providing care to patients at a district facility and sets out requirements for such policies.

H.B. 4663 subjects a physician employed by the district under the bill's provisions to the same standards and procedures regarding credentialing, peer review, quality of care, and privileges as a physician not employed by the district. The bill requires the district to give equal consideration regarding the issuance of credentials and privileges to physicians employed by the district and physicians not employed by the district. The bill requires a physician employed by the district to retain independent medical judgment in providing care to patients at a facility operated by the district and prohibits the physician from being penalized for reasonably advocating for patient care.

H.B. 4663 requires the district's board of directors to appoint a chief medical officer for the district who must be a physician. The bill requires each physician employed by the district, for all matters relating to the practice of medicine, to ultimately report to the chief medical officer of the district. The bill requires the chief medical officer to notify the Texas Medical Board (TMB) that the district is employing physicians under the bill's provisions and that the chief medical officer is the district's designated contact with the TMB. The bill requires the chief medical officer to immediately report to the TMB any action or event that the chief medical officer reasonably and in good faith believes constitutes a compromise of the independent medical judgment of a physician in caring for a patient.

H.B. 4663 prohibits its provisions from being construed as altering, voiding, or prohibiting any relationship between a district and a physician. The bill prohibits a contract to employ a physician under the bill's provisions from including a covenant not to compete on termination of the contract. The bill prohibits its provisions from being construed to authorize the district's board of directors to supervise or control the practice of medicine, as prohibited by the Medical Practice Act.

EFFECTIVE DATE

September 1, 2019.