

BILL ANALYSIS

S.B. 1882
By: Buckingham
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Hospitals and certain other entities may differentiate between physicians based on a physician's maintenance of certification if the voting physician members of the entity's organized medical staff vote to authorize the differentiation. However, there are concerns that voting physicians are not being provided information about the process by which such a vote can take place. S.B. 1882 seeks to address these concerns by requiring certain entities to provide written notice informing voting physicians of the process by which they may vote on the differentiation of physicians on that basis.

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

S.B. 1882 amends the Occupations Code to require certain entities who may differentiate between physicians based on a physician's maintenance of certification if such differentiation is authorized by vote of the voting physician members of the entity's organized medical staff to provide written notice to those voting physician members of the process by which the members may take such a vote. The bill requires the notice to state that any vote must comply with the normal voting process of the entity and the entity's organized medical staff and with any applicable law, regulation, or accreditation requirement. The bill requires the notice to be provided at least once each calendar year and in a form acceptable to the entity and the entity's organized medical staff for a similar notification, which may include in electronic form.

S.B. 1882 amends the Health and Safety Code to establish that an entity that does not comply with the bill's notice requirements violates the Texas Hospital Licensing Law.

EFFECTIVE DATE

September 1, 2019.