

SUBJECT: Allowing certain veterans to be health providers in underserved areas

COMMITTEE: Public Health — favorable, without amendment

VOTE: 9 ayes — Klick, Allison, Coleman, Collier, Jetton, Oliverson, Price,
Smith, Zwiener

0 nays

2 absent — Guerra, Campos

WITNESSES: For — (*Registered, but did not testify*: Blake Hutson, AARP Texas;
Melissa Shannon, Bexar County Commissioners Court; Daniel Collins, El
Paso County; Myra Leo and Christine Yanas, Methodist Healthcare
Ministries of South Texas, Inc.; Carrie Simmons, Opportunity Solutions
Project; Charles Miller, Texas 2036; Mia McCord, Texas Conservative
Coalition; Charlie Leal, Texas Farm Bureau; Cameron Duncan, Texas
Hospital Association; Kevin Stewart, Texas Nurses Association; Trent
Krienke, Texas Organization of Rural and Community Hospitals)

Against — None

On — (*Registered, but did not testify*: Stephen Carlton, Texas Medical
Board)

BACKGROUND: Occupations Code sec. 157.051 defines "health professional shortage
area" as an urban or rural area in the state that:

- is not required to conform to the geographic boundaries of a political subdivision but is a rational area for the delivery of health services;
- the U.S. secretary of health and human services determines has a health professional shortage; and
- is not reasonably accessible to an adequately served area.

Government Code sec. 487.201 defines "medically underserved

community" as:

- a community located in an area in this state designated by the U.S. secretary of health and human services as an area with a shortage of personal health services;
- a community designated under state or federal law as a medically underserved community; or
- a community that the Texas Department of Agriculture considers to be medically underserved based on relevant demographic, geographic, and environmental factors.

Occupations Code sec. 55.001 defines "active duty" as current full-time military service in the armed forces of the United States or active duty military services as a member of the Texas military forces or similar military service of another state.

Occupations Code ch. 155 governs licensure requirements for physicians, and ch. 301 governs licensure requirements for nurses.

Interested parties note that federal law currently exempts active duty medical personnel from state occupational licensing requirements and that those exemptions lapse once a provider leaves active duty military service. Some have suggested that an expedited, less burdensome licensure process is needed to retain qualified veteran physicians and nurses in Texas to help address the health care provider shortage.

DIGEST:

HB 548 would allow certain licensed physicians and nurses of the U.S. armed forces to apply for a license to practice medicine or nursing in a health professional shortage area or a medically underserved community. The appropriate regulatory agency, the Texas Medical Board or the Texas Board of Nursing, would have to issue a license for applicants that met certain criteria.

The appropriate board would issue a license to practice medicine or nursing to an applicant who:

- was licensed in good standing as a physician or nurse in another state;
- was a veteran of the U.S. armed forces who retired from or otherwise left military service one year or less before the license application date; and
- was, at the time of retiring from or leaving military service, serving on active duty in the state and authorized as a physician or nurse to treat persons enlisted in the U.S. armed forces or veterans.

The bill would prohibit a board from issuing a license to an applicant who:

- held a medical license or license to prescribe, dispense, administer, supply, or sell a controlled substance that was currently under active investigation or was or had been subject to a disciplinary action or to denial by another jurisdiction; or
- had been convicted of, was on deferred adjudication community supervision or deferred disposition for, or was under active investigation for the commission of a felony or misdemeanor involving moral turpitude.

A license applicant would not have had to pass the Texas medical jurisprudence examination.

The bill would take effect September 1, 2021.