

BILL ANALYSIS

Senate Research Center
76R4086 JMM-F

H.B. 1491
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Health Services
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Engrossed

DIGEST

Currently, the Internal Revenue Service requires medical school faculty physicians to be treated as employees for federal income tax purposes. Current state law prohibits the corporate practice of medicine, in effect prohibiting private medical schools from employing faculty physicians. This situation presents a dilemma for the Baylor College of Medicine, the only private medical school in Texas. This bill would authorize an accredited private medical school to employ its faculty physicians for clinical practice activities.

PURPOSE

As proposed, H.B. 1491 authorizes private medical schools to employ certain physicians.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Medical Practice Act, Article 4495b, V.T.C.S., by adding Section 5.12, as follows:

Sec. 5.12. EMPLOYMENT OF PHYSICIANS BY PRIVATE MEDICAL SCHOOL. Authorizes a private medical school accredited by the Liaison Committee on Medical Education, to employ or contract for the services of physicians to provide medical services and retain all or part of the professional income generated by a physician providing medical services under Subdivision (l).

SECTION 2. Emergency clause.
Effective date: upon passage.