

BILL ANALYSIS

Senate Research Center
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S.B. 1255
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Agriculture & Rural Affairs
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 165.156 (Misrepresentation Regarding Entitlement to Practice Medicine), Occupations Code, makes it unlawful for any individual, partnership, trust, association, or corporation by use of any letters, words, or terms, as an affix on stationary or advertisements or in any other manner, to indicate that the individual, partnership, trust, association, or corporation is entitled to practice medicine if the individual or entity is not licensed to practice.

This has been interpreted to mean that hospitals cannot employ physicians who want to be employed. S.B. 1255 will allow the board of a hospital authority created by the governing body of a municipality with a population of not more than 10,000 to employ physicians, technicians, nurses, or other health care providers, fiscal agents, accountants, and other necessary employees. This bill will allow Wise Regional Health System in Decatur and Smithville Regional Hospital in Smithville to employ physicians.

As proposed, S.B. 1255 amends current law relating to the employment of physicians and other staff by certain municipal hospital authorities.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 262.023(b), Health and Safety Code, to authorize the board of directors of a hospital authority (board) to delegate to the manager or executive director the authority to manage the hospital and to employ and discharge employees other than physicians hired in accordance with Section 262.0235.

SECTION 2. Amends Subchapter C, Chapter 262, Health and Safety Code, by adding Section 262.0235, as follows:

Sec. 262.0235. EMPLOYMENT OF PHYSICIANS AND STAFF. (a) Authorizes the board created by the governing body of a municipality with a population of not more than 10,000 to employ physicians, technicians, nurses, other health care providers, fiscal agents, accountants, and other necessary employees.

(b) Prohibits this section from being construed as authorizing the board to supervise or control the practice of medicine, as prohibited by Subtitle B (Physicians), Title 3 (Health Professions), Occupations Code.

SECTION 3. Effective date: upon passage or September 1, 2011.