

AN ACT

1  
2 relating to provisional licensing of physicians to practice in  
3 underserved areas.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter C, Chapter 155, Occupations Code, is  
6 amended by adding Section 155.101 to read as follows:

7 Sec. 155.101. PROVISIONAL LICENSE TO PRACTICE IN CERTAIN  
8 AREAS. (a) On application, the board shall grant a provisional  
9 license to practice medicine in a location described by Subsection  
10 (e) to an applicant for a license under this subtitle who is  
11 licensed in good standing as a physician in another state.

12 (b) The board may not grant a provisional license under this  
13 section to an applicant who:

14 (1) has had a medical license suspended or revoked by  
15 another state or a Canadian province; or

16 (2) holds a medical license issued by another state or  
17 a Canadian province that is subject to a restriction, disciplinary  
18 order, or probationary order.

19 (c) The provisional license applicant must:

20 (1) have passed a national or other examination  
21 recognized by the board relating to the practice of medicine within  
22 the number of attempts allowed under Section 155.056;

23 (2) submit information to enable the board to conduct  
24 a criminal background check as required by the board; and

1           (3) be sponsored by a person licensed under this  
2 subtitle with whom the provisional license holder may practice  
3 under this section.

4           (d) The board may excuse an applicant for a provisional  
5 license from the requirement of Subsection (c)(3) if the board  
6 determines that compliance with that subsection constitutes a  
7 hardship to the applicant.

8           (e) A person who holds a provisional license issued under  
9 this section may only practice medicine in a location:

10           (1) designated by the federal government as a health  
11 professional shortage area; or

12           (2) designated by the federal or state government as a  
13 medically underserved area.

14           (f) A provisional license expires on the earlier of:

15           (1) the date the board issues the provisional license  
16 holder a license under this subtitle or denies the provisional  
17 license holder's application for a license; or

18           (2) the 270th day after the date the provisional  
19 license was issued.

20           (g) The board shall issue a license under this subtitle to  
21 the holder of a provisional license under this section if:

22           (1) the provisional license holder passes the  
23 examination required by Section 155.051; and

24           (2) the provisional license holder satisfies all other  
25 license requirements under this subtitle.

26           SECTION 2. Section 155.101, Occupations Code, as added by  
27 this Act, applies to an application for a provisional license

EP  
/ce

S.B. No. 202

1 submitted on or after January 1, 2010.

2 SECTION 3. This Act takes effect September 1, 2009.

ATCC  
7/09

S.B. No. 202

Rand Beukhus  
President of the Senate

Jim Strawn  
Speaker of the House

I hereby certify that S.B. No. 202 passed the Senate on March 19, 2009, by the following vote: Yeas 31, Nays 0.

Patricia Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 202 passed the House on May 25, 2009, by the following vote: Yeas 144, Nays 0, one present not voting.

Robert Haney  
Chief Clerk of the House

Approved:  
19 JUN '09  
Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2 PM O'CLOCK  
JUN 19 2009

Colby Shuter III