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AN ACT

relating to the examination of certain applicants for a license to practice medicine.

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

SECTION 1. Section 155.056, Occupations Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) Notwithstanding Subsection (a), an applicant who, on September 1, 2005, held a physician-in-training permit issued under Section 155.105 or had an application for that permit pending before the board must pass each part of the examination within three attempts, except that, if the applicant has passed all but one part of the examination within three attempts, the applicant may take the remaining part of the examination one additional time. However, an applicant is considered to have satisfied the requirements of this subsection if the applicant:

(1) passed all but one part of the examination approved by the board within three attempts and passed the remaining part of the examination within six attempts;

(2) is specialty board certified by a specialty board that:

(A) is a member of the American Board of Medical Specialties; or

(B) is approved by the American Osteopathic Association; and

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1 (3) has completed in this state an additional two
2 years of postgraduate medical training approved by the board.

3 (d) The limitation on examination attempts by an applicant
4 under Subsection (a) does not apply to an applicant who:

5 (1) is licensed and in good standing as a physician in
6 another state;

7 (2) has been licensed for at least five years;

8 (3) does not hold a medical license in the other state
9 that has any restrictions, disciplinary orders, or probation; and

10 (4) passed all but one part of the examination
11 approved by the board within three attempts and:

12 (A) passed the remaining part of the examination
13 within one additional attempt; or

14 (B) passed the remaining part of the examination
15 within six attempts if the applicant:

16 (i) is specialty board certified by a
17 specialty board that:

18 (a) is a member of the American Board
19 of Medical Specialties; or

20 (b) is approved by the American
21 Osteopathic Association; and

22 (ii) has completed in this state an
23 additional two years of postgraduate medical training approved by
24 the board.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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S.B. No. 36

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.

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S.B. No. 36

David Sisk

President of the Senate

Tom Craddick

Speaker of the House

I hereby certify that S.B. No. 36 passed the Senate on March 14, 2007, by the following vote: Yeas 30, Nays 0; May 24, 2007, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 25, 2007, House granted request of the Senate; May 26, 2007, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0.

Astley Spaw
Secretary of the Senate

I hereby certify that S.B. No. 36 passed the House, with amendment, on May 23, 2007, by the following vote: Yeas 144, Nays 0, two present not voting; May 25, 2007, House granted request of the Senate for appointment of Conference Committee; May 26, 2007, House adopted Conference Committee Report by the following vote: Yeas 142, Nays 1, two present not voting.

Robert Haney
Chief Clerk of the House

Approved:

15 JUN 07

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5 PM O'CLOCK

JUN 15 2007
Roger Williams
Secretary of State