163.2. Full Texas Medical License.

(a) Graduates of medical schools in the United States or Canada. To be eligible for full licensure, an applicant who is a graduate from a school in the United States or Canada must:

(1) be 21 years of age;

(2) be of good professional character as defined under 163.1(8) of this title (relating to Definitions);

(3) have completed 60 semester hours of college courses as defined under 163.1(10) of this title;

(4) be a graduate of:

 (A) an acceptable approved medical school as defined under 163.1(1) of this title; or

 (B) any medical school and at the date of application to the Board or prior to approval for licensure by the Board hold a certificate from a specialty board that is a member of the American Board of Medical Specialties or the Bureau of Osteopathic Specialists.

(5) have successfully completed a one-year training program of graduate medical training in the United States or Canada as defined under 163.1(9) of this title;

(6) submit evidence of passing an examination accepted by the board for licensure as defined under 163.6(a) of this title (relating to Examinations Accepted for Licensure); and

(7) pass the Texas Medical Jurisprudence Examination.

(b) - (c) (No change.)

(d) Applicants who are not U.S. citizens or permanent residents.

(1) An applicant for full licensure who is not a U.S. citizen or an alien lawfully admitted for permanent residence in the United States, must present proof satisfactory to the board that the applicant has practiced medicine full-time in Texas, in medically underserved areas and health professional shortage areas as designated by the U.S. Department of Health and Human Services, for at least three years, or has signed an agreement to practice medicine full-time in Texas, in

medically underserved areas (MUAs) and health professional shortage areas (HPSAs) as designated by the U.S. Department of Health and Human Services, for at least three years. Full-time practice shall mean at least 20 hours per week for 40 weeks duration during a given year. Agreement to practice medicine for three years in qualifying HPSAs and MUAs may be evidenced by an Affidavit of Agreement submitted by the applicant to the Board.

(2) Upon completion of the requirements of paragraph (1) of this subsection, a physician must provide documentation that is acceptable to the Board to demonstrate compliance with paragraph (1) of this subsection. Documentation acceptable to the Board as proof of having completed the three-year service requirement includes:

(A) Individual Federal income tax returns, including copies of the International Medical Graduate's (IMG) W-2 forms and/or pay stubs covering the three-year period (showing employment in a qualifying underserved location);

(B) Letter(s) from the applicant's employer(s) attesting to the full-time medical service rendered during the required aggregate period; and

(C) If the applicant established his or her own practice, documents confirming establishment of the practice, e.g., documentation showing incorporation of the medical practice (if incorporated), the business license, and the business tax returns and tax withholding documents submitted for the entire three-year period.

(3) A physician licensed under this subsection, must notify any individual or entity with whom the physician contracts to practice medicine, that the physician is fulfilling a service requirement to practice full-time in Texas, in medically underserved areas and health professional shortage areas as designated by the U.S. Department of Health and Human Services, for at least three years.

(4) For the purpose of this subsection, federally designated underserved areas include Federally Qualified Health Centers (FQHCs) and Rural Health Clinics (RHCs) with facility HPSA designation.

(5) This subsection shall not be interpreted to apply to:

(A) applicants for full licensure under this chapter that have been offered employment at a graduate medical training program, and:

    (1) the employment is not for the purpose of obtaining postgraduate training; or

    (2) the employment is for postgraduate training that is located in a MUA or HPSA.[who are applying to practice medicine at an institution that maintains a graduate medical education program in this state;]

(B) applicants for postgraduate training permits as described under Chapter 171 of this title (relating to Postgraduate Training Permits);

(C) applicants for temporary or limited licenses as described under Chapter 172 of this title (relating to Temporary and Limited Licenses);

(D) physicians who practiced medicine, prior to September 1, 2012, for at least one year under a postgraduate training permit, temporary license, or limited license; or

(E) physicians who ==had an active application for full licensure on August 31, 2012== ~~submit or have submitted initial applications for full licensure under this chapter prior to September 1, 2012~~].

(6) Applicants determined exempt under paragraph (5)(B) of this subsection and who subsequently apply for full licensure are subject to the requirements of this subsection, and any employment completed ==while in postgraduate training== [~~under a postgraduate training permit~~] shall not be applied toward the requirements set out in paragraph (1) of this subsection ==unless the training program was located in an MUA or HPSA==.

(7) Applicants determined exempt under paragraph (5)(A) of this subsection at time of application, but who subsequently discontinue employment before passage of three years from the date of issuance of a license, shall no longer be exempt from the requirements set out in this section. However, the applicant may count all employment obtained while practicing medicine under a full license or a temporary or limited license at an institution that maintains a graduate medication education program in this state toward the service requirement set out in paragraph (1) of this subsection.

(e) (no change)