



Physicians Caring for Texans

May 27, 2011

The Honorable Rick Perry
Governor of the State of Texas
1100 Congress Avenue
Austin, Texas 78701

Dear Governor Perry:

On behalf of the 45,000 physician and medical student members of the Texas Medical Association — and the millions of Texans we serve — I am writing to ask you to sign three important bills that will improve how the Texas Medical Board (TMB) handles complaints.

The bills are House Bill 680 by Rep. Charles Schwertner, MD, and Sens. Jane Nelson and Joan Huffman; Senate Bill 191 by Senator Nelson and Rep. Susan King; and SB 227 by Senator Nelson and Representative King.

These three bills provide much-needed due process protections for physicians without endangering the 2003 medical liability reforms that have meant so much to Texas. All Texans must be confident that they are receiving the highest quality of care and that their physicians are qualified, competent, and adhere to the highest ethical and professional standards.

Over the past three legislative sessions, TMA has worked closely with these sponsors and many others to win passage of bills that would loosen TMB's bureaucratic processes and allow the agency to focus on quality of care and impairment issues. You will recall that the board underwent significant legislative examination amid the 2003 liability reform debate. The Texas Legislature passed SB 104, with strong support from TMA. The bill enhanced the board's enforcement capabilities and imposed a surcharge on physicians' licenses to pay for staffing and infrastructure improvements. SB 104 was an important cornerstone of the liability reform effort that you so ably led. A strong and fair TMB is a lynchpin of the success of the liability reforms. If doctors are unable to police themselves through a strong and fair medical board, then today's complaint is tomorrow's lawsuit. We cannot allow that to happen.

On the other hand, many Texas physicians are frustrated and angry with how the board has handled complaints since the passage of SB 104. We have encouraged TMB to make needed changes in its disciplinary processes. Some changes, however, require legislative approval and direction; that approval and direction comes in HB 680, SB 191, and SB 227.

The 2011 legislature passed all three of those bills, and they are now on your desk. I strongly encourage you to sign them into law.

Sincerely,

A handwritten signature in black ink that reads "C. Bruce Malone". The signature is written in a cursive, flowing style.

C. Bruce Malone, MD
President