

**REFERENCE COMMITTEE ON  
FINANCIAL AND ORGANIZATIONAL AFFAIRS**

**May 2018**

1 The Reference Committee on Financial and Organizational Affairs, having met on Friday, May 18, 2018,  
2 with all members present, submits the following report:

- 3  
4 (1) Speakers Report 1 – Transparency in Elections in the House of Delegates (Resolution 109-A-17)

5  
6 RECOMMENDATION:

7  
8 Madam Speaker, your reference committee recommends that the recommendations in Speaker’s  
9 Report 1 be adopted.

10  
11 This report recommends the following amendments to Resolution 109-A-17:

12  
13 (1) That ~~Vote counts of all secret ballots taken in the TMA House of Delegates be announced~~  
14 ~~publicly in the house at the time each election result is announced;~~ a TMA Balloting Procedures  
15 resource document be posted on the TMA website and distributed at each annual session, and

16  
17 (2) Final vote counts of all secret ballots in the TMA House of Delegates continue to be made  
18 ~~public and made part of the official proceedings of the house.~~ available to any member upon  
19 request on site after elections conclude, or following adjournment of the meeting by contacting  
20 the TMA House of Delegates staff, and

21  
22 (3) That Resolution 109-A-17 be adopted as amended.

23  
24 Your reference committee heard no testimony on this item.

- 25  
26 (2) Speakers Report 2 – Election of TMA Board of Trustees Members, Filling Vacancies by Special  
27 Election (Resolution 101-A-17)

28  
29 RECOMMENDATION:

30  
31 Madam Speaker, your reference committee recommends that the recommendations in Speakers  
32 Report 2 be adopted.

33  
34 This report recommends: (1) that each at-large and ex-officio member of the TMA Board of  
35 Trustees elected prior to TexMed 2018 continue to abide by the term of office and length of  
36 tenure provisions specified in the TMA Bylaws at the time the member first was elected to the  
37 board, regardless of future amendments to these bylaws provisions, and (2) amendment of TMA  
38 Policy 295.013, Election Process.

39  
40 Background testimony was provided the Board of Trustees.

- 41 (3) Council on Constitution and Bylaws Report 2 – Election of TMA Board of Trustees Members,  
42 Filling Vacancies by Special Election (Resolution 101-A-17)

43  
44 RECOMMENDATION:

45  
46 Madam Speaker, your reference committee recommends that the recommendations in Council on  
47 Constitution and Bylaws Report 2 be adopted.

48

1 This report recommends:  
2

3 (1) Amend Bylaws Chapter 4, Board of Trustees, Section 4.40, as follows:  
4

5 **Term, tenure, and vacancies of at-large members.** The term of service of at-large members of  
6 the Board of Trustees shall be three years. Tenure of service as an at-large member of the board,  
7 by election and by appointment, shall not exceed three terms, ~~provided that serving as much as~~  
8 ~~one year of the three year term shall be considered serving a full term.~~ The term of service of the  
9 young physician member on the Board of Trustees shall be two years and shall not be eligible for  
10 reelection. The two-year young physician term shall not count toward the lifetime service limit of  
11 ~~10~~ nine years on the Board of Trustees. Tenure of service as the young physician member on the  
12 board, by election, shall not exceed one term, provided that serving as much as half of the two-  
13 year term shall be considered serving a full term.  
14

15 Total lifetime service on the Board of Trustees whether as an at-large or ex officio member shall  
16 not exceed ~~10~~ nine years excluding terms served as the young physician, resident, or student  
17 member.  
18

19 The president shall fill vacancies in the offices of at-large members of the Board of Trustees until  
20 the next annual session of the House of Delegates, at which time election for the ~~unexpired term~~  
21 vacancies to be filled shall be held. If, however, a vacancy occurs during the course of any House  
22 of Delegates meeting, it may be filled at that meeting by house election.  
23

24 (2) Amend Bylaws Chapter 7, Elections, Section 7.42, Balloting, Subsection 7.421, First ballot,  
25 and Subsection 7.422, Run-off ballot, as follows:  
26

27 7.42 **Balloting.** All elections shall be by secret ballot, and a majority of the votes cast shall be  
28 necessary to elect. When there are three or more nominees for a single position, the one receiving  
29 the least number of votes on each ballot shall be dropped until one of the said nominees receives a  
30 majority vote. When there is only one nomination, vote may be by acclamation.  
31

32 When (1) two or more vacancies exist, and (2) there are three or more nominees, election  
33 procedures are as follows:  
34

35 7.421 **First ballot.** All nominees shall be listed in a randomly determined sequence on a single  
36 ballot, ~~regardless of the length of term.~~ Each elector shall have as many votes as there are  
37 positions to be filled, and each vote must be cast for a different nominee. No ballot shall be  
38 counted if it contains fewer or more than the number of votes to be cast, or if the ballot contains  
39 more than one vote for any nominee. Nominees who receive (1) a vote on a majority of the legal  
40 ballots cast and (2) the highest majorities shall be elected to the vacancies to be filled. ~~When there~~  
41 ~~are varying term lengths of positions to be filled, those receiving the highest majorities shall be~~  
42 ~~elected to the longer terms.~~  
43

44 7.422 **Run-off ballot.** The house shall hold a run-off election to fill any vacancy that cannot be  
45 filled because of a tie vote ~~or when necessary, to resolve any ties to determine which candidate(s)~~  
46 ~~shall be elected to which term.~~  
47

48 Your reference committee heard testimony in favor and in opposition to this report. Opposing  
49 testimony expressed the concern that eliminating partial terms would potentially lessen the ability  
50 for member participation on the board. Your reference committee believes the reduction in the  
51 term to a total of nine years addresses this concern.

1  
2 (4) Board of Trustees Report 12 – Sunset Review of TMA Standing Committees

3  
4 RECOMMENDATION:

5  
6 Madam Speaker, your reference committee recommends that the recommendations in Board of  
7 Trustees Report 12 be adopted.

8  
9 This report recommends:

10  
11 (1) continuing the Interspecialty Society Committee, Committee on Membership, Committee on  
12 Physician Health and Wellness, Committee on Continuing Education, Committee on Physician  
13 Distribution and Health Care Access, Committee on Cancer, Committee on Child and Adolescent  
14 Health, Committee on Emergency Medical Services and Trauma, Committee on Infectious  
15 Diseases, and Committee on Reproductive, Women’s, and Perinatal Health, Committee on  
16 Medical Home and Primary Care and the Committee on Rural Health for three years, and

17  
18 (2) amending the charge of the Patient-Physician Advocacy Committee in Section 10.532 of  
19 TMA Bylaws as follows: The committee shall assess-evaluate the quality of medical and health  
20 care services in the State of Texas and recommend regulatory, legislative, and legal approaches to  
21 assure that the highest standard of quality medical care is available for all Texans. The committee  
22 shall assess the environments and circumstances in which physicians practice on both a case-by-  
23 case and a global basis to identify and advocate against barriers to a healthy environment for the  
24 practice of medicine. The committee shall serve as a source of advice on quality ~~assurance,~~  
25 ~~utilization review, and other quality and medical practice environment~~ issues; develop and  
26 recommend policy; establish and maintain liaison with appropriate regulatory agencies and with  
27 groups with similar interests; and serve in an advocacy role for physicians and patients on issues  
28 related to quality ~~assurance, utilization review, and other forms of review~~ and medical practice  
29 environment, and

30  
31 (3) continuing the Patient-Physician Advocacy Committee, as amended, for three years.

32  
33 Your reference committee heard testimony supporting the recommendations of the board.

34  
35 (5) Board of Trustees Report 13 – Policy Review

36  
37 RECOMMENDATION:

38  
39 Madam Speaker, your reference committee recommends that the recommendations in Board of  
40 Trustees Report 13 be adopted.

41  
42 This report recommends that: (1) Policy 160.016 be retained, and (2) Policy 75.003 be retained as  
43 amended.

44  
45 Your reference committee heard testimony supporting the recommendations of the board.  
46

1 (6) Board of Trustees Report 14 – TMA 2025

2  
3 RECOMMENDATION:

4  
5 Madam Speaker, your reference committee recommends that the recommendation in Board of  
6 Trustees Report 14 be adopted.

7  
8 This report recommends approval of TMA’s 2025 strategic plan.

9  
10 Your reference committee heard testimony supporting the recommendation of the board.

11  
12 (7) Board of Trustees Report 15 – Amendments to Constitution and Bylaws Chapter 9, Councils

13  
14 RECOMMENDATION:

15  
16 Madam Speaker, your reference committee recommends that the recommendation in Board of  
17 Trustees Report 15 be adopted.

18  
19 This report recommends amending TMA Bylaws, Chapter 9, Councils, Section 9.31, Number of  
20 members, to allow councils to consist of nine to 18 members.

21  
22 Your reference committee heard testimony supporting the recommendation of the board.

23  
24 (8) Board of Councilors Report 4 – Support of Evidence-Based Medicine (Resolution 107-A-17)

25  
26 RECOMMENDATION:

27  
28 Madam Speaker, your reference committee recommends that the recommendation in Board of  
29 Councilors Report 4 be referred with report back at A-19.

30  
31 This report recommends that the House of Delegates not adopt Resolution 107-A-17.

32  
33 Multiple people testified for referral of this report. Specifically, there was a request for referral to  
34 the Council on Science and Public Health’s LGBTQ workgroup so that a more focused policy can  
35 be development regarding the treatment of LGBTQ patients.

36  
37 (9) Board of Councilors Report 5 – Emeritus Nominations

38  
39 RECOMMENDATION:

40  
41 Madam Speaker, your reference committee recommends that the recommendation in Board of  
42 Councilors Report 5 be adopted.

43  
44 This report recommends that the TMA House of Delegates elect Nalin H. Tolia, MD, to emeritus  
45 membership in the Texas Medical Association.

46  
47 Your reference committee heard testimony in support of this report.

1 (10) Board of Councilors Report 6 – Honorary Nominations

2  
3 Madam Speaker, your reference committee recommends that the recommendation in Board of  
4 Councilors Report 6 be adopted.

5  
6 This report recommends that the TMA House of Delegates elect William J. Deaton, MD, John D.  
7 McKeever, MD, and William A. Walker, MD, to honorary membership in the Texas Medical  
8 Association.

9  
10 Your reference committee heard testimony in support of this report.

11  
12 (11) Board of Councilors Report 7 – Policy Review

13  
14 RECOMMENDATION:

15  
16 Madam Speaker, your reference committee recommends that the recommendations in Board of  
17 Councilors Report 7 be adopted.

18  
19 This report recommends that: (1) Policy 85.010 be retained and (2) Policy 85.002 be deleted.

20  
21 Your reference committee heard testimony in favor of this report.

22  
23 (12) Texas Delegation to the AMA Report 3 – Texas Delegation Operating Procedure Changes

24  
25 RECOMMENDATION:

26  
27 Madam Speaker, your reference committee recommends that the recommendation in Texas  
28 Delegation to the AMA Report 3 be adopted.

29  
30 This report recommends amendments to Section 3.0, Officers and Elected Positions, of the  
31 delegation's Operating Procedures.

32  
33 Your reference committee heard testimony in support.

34  
35 (13) Medical Student Section Report 1 – Medical Student Section Operating Procedures Update

36  
37 RECOMMENDATION:

38  
39 Madam Speaker, your reference committee recommends that the recommendation in Medical  
40 Student Section Report 1 be adopted.

41  
42 This report recommends amendment of TMA Medical Student Section Operating Procedures.

43  
44 Your reference committee heard testimony in support.

45  
46 (14) Young Physician Section Report 1 – Young Physician Section Operating Procedures Update

47  
48 RECOMMENDATION:

49  
50 Madam Speaker, your reference committee recommends that the recommendations in Young  
51 Physician Section Report 1 be adopted.

1 This report recommends amendment of TMA Young Physician Section Operating Procedures  
2 with necessary updates to clarify the election process and streamline meeting scheduling.

3  
4 Your reference committee heard testimony in favor of adoption and in favor of referral. The  
5 Young Physician Section’s testimony indicated the need for changes to the operating procedures  
6 in order to encourage participation of Young Physician Section members. This change in the  
7 operating procedures was drafted with broad language to give flexibility to address the concerns  
8 of its members.

9  
10 (15) Council on Constitution and Bylaws Report 1 – Amendments to the TMA Constitution

11  
12 RECOMMENDATION:

13  
14 Madam Speaker, your reference committee recommends that the recommendations in Council on  
15 Constitution and Bylaws Report 1 be adopted.

16  
17 This report recommends (1) final approval of an amendment to the TMA Constitution, Article VI,  
18 Board of Trustees, recognizing the election of a young physician member; and (2) approval of the  
19 first reading of the constitutional amendment necessary to include the young physician member  
20 of the Board of Trustees as a voting member of the House of Delegates (Article V. House of  
21 Delegates).

22  
23 Your reference committee heard testimony in support of these proposed Constitutional  
24 amendments.

25  
26 (16) Council on Science and Public Health Report 1 – Rejection of Discrimination (Resolution 304-A-  
27 17)

28  
29 RECOMMENDATION A:

30  
31 Madam Speaker, your reference committee recommends that the recommendations in Council on  
32 Science and Public Health Report 1 be amended:

33  
34 (1) the Texas Medical Association does not discriminate, and opposes discrimination, based on  
35 race, religion, disability, ethnic origin, national origin, age, sexual orientation, sex, or gender  
36 identity, and

37  
38 (2) TMA supports physician efforts to encourage that the nondiscrimination policies in their  
39 practices, medical schools, hospitals, and clinics be broadened to include “race, religion,  
40 disability, ethnic origin, national origin, age, sexual orientation, sex, or gender identity” in  
41 relation to patients, health care workers, and employees.

42  
43 RECOMMENDATION B:

44  
45 Madam Speaker, your reference committee recommends that the recommendations in Council on  
46 Science and Public Health Report 1 be adopted as amended.

47  
48 Your reference committee heard testimony in support of this report with addition of an  
49 amendment to the first recommendation.

- 1 (17) Patient-Physician Advocacy Committee Report 2 – Review of Policy 265.019, Disruptive  
2 Behavior Standard

3  
4 RECOMMENDATION A:

5  
6 Madam Speaker, your reference committee recommends that the recommendation in Patient-  
7 Physician Advocacy Committee Report 2 be amended by deletion of the second sentence as  
8 follows:

9  
10 **265.019 Physician Behavior Standards:** The Texas Medical Association encourages bylaws  
11 and policies that promote a safety culture and asserts that standards for physician behavior should  
12 not use ambiguous terms that can be used against physicians for retaliation or for economic gain.

13  
14 RECOMMENDATION B:

15  
16 Madam Speaker, your reference committee recommends that the recommendation in Patient-  
17 Physician Advocacy Committee Report 2 be adopted as amended:

18  
19 This report recommends to amend and retain Policy 265.019.

20  
21 265.019 Physician Disruptive Behavior Standards: The Texas Medical Association  
22 encourages bylaws and policies that promote a safety culture and asserts that standards for  
23 physician behavior should not use ambiguous terms that can be used against physicians for  
24 retaliation or for economic gain. TMA will encourage hospital medical staffs, the American  
25 Medical Association, and other appropriate entities to amend applicable resources and policies to  
26 replace the terms “disruptive behavior” and “disruptive physician” with references to  
27 “unprofessional behavior” or “behavior that undermines a culture of safety” to reflect  
28 amendments The Joint Commission has made to its leadership standards will aid and assist the  
29 AMA in distributing to Texas physicians the resource materials developed on the “disruptive  
30 physician,” compiling the experiences of hospital medical staffs and physicians in satisfying the  
31 new Joint Commission leadership standard on “disruptive physicians,” and seeking amendments  
32 to this standard as indicated.

33  
34 Your reference committee heard testimony in support and opposition. Your reference committee  
35 expressed concern that “unprofessional behavior” could also be used improperly against a  
36 physician. Thus, your reference committee recommended striking the Patient-Physician  
37 Advocacy Committee’s proposed second sentence.

- 38  
39 (18) Resolution 101 – Patient-Centered Medical Record Responsibilities (Webb-Zapata-Jim Hogg  
40 County Medical Society)

41  
42 RECOMMENDATION:

43  
44 Madam Speaker, your reference committee recommends that Resolution 101 be referred with  
45 report back at A-19.

46  
47 This resolution resolves that the Texas Medical Association: (1) encourage appropriate  
48 organizations, e.g., disaster preparedness agencies, utility companies, and county health  
49 departments, to educate Texans on the importance of having access to or possession of an  
50 accurate summary of their medical record whenever and wherever it is needed, and (2) support a  
51 legislative proclamation that designates a Texans Medical Record Checkup Day at the beginning

1 of hurricane and tornado season to encourage Texans to have access to or possession of an  
2 accurate summary of their medical record should it be needed.

3  
4 Your reference committee heard testimony in support of the intent of this resolution. However,  
5 concerns were expressed regarding the implementation and the need to tighten up the language.  
6 Multiple people testified for referral.

- 7  
8 (19) Resolution 103 – Internet-Based Notification of Patients When a Physician is Closing or Leaving  
9 a Practice (Travis County Medical Society)

10  
11 RECOMMENDATION A:

12  
13 Madam Speaker, your reference committee recommends that Resolution 103 be amended as  
14 follows:

15  
16 That the Texas Medical Association ~~(1) work with the Texas Medical Board and the Texas~~  
17 ~~Legislature to change §165.5(b)(2) of the Texas Administrative Code to allow the notification of~~  
18 ~~patients to be accomplished by posting a notice on the physician’s website as a stand-alone~~  
19 ~~method in addition to placing a notification in the physician’s office, and (2) formally recommend~~  
20 to the Texas Medical Board amendment of the current provisions of Texas Administrative Code  
21 §165.5(b)(2) as follows: “Notification shall be accomplished by: (A) posting a notice on the  
22 website of the physician, to be kept available for two years, or publishing notice in the newspaper  
23 of greatest general circulation in each county in which the physician practices or practiced; (B)  
24 placing a written notice in the physician’s office; ~~or and~~ (C) sending an email notice or postal  
25 letters to patients seen in the last two years notifying them of discontinuance of practice.”

26  
27 RECOMMENDATION B:

28  
29 Madam Speaker, your reference committee recommends that Resolution 103 be adopted as  
30 amended.

31  
32 This resolution resolves that the Texas Medical Association: (1) work with the Texas Medical  
33 Board and the Texas Legislature to change §165.5(b)(2) of the Texas Administrative Code to  
34 allow the notification of patients to be accomplished by posting a notice on the physician’s  
35 website as a stand-alone method in addition to placing a notification in the physician’s office, and  
36 (2) formally recommend to the Texas Medical Board amendment of the current provisions of  
37 Texas Administrative Code §165.5(b)(2) as follows: “Notification shall be accomplished by: (A)  
38 posting a notice on the website of the physician, to be kept available for two years, or publishing  
39 notice in the newspaper of greatest general circulation in each county in which the physician  
40 practices or practiced ~~and in a local newspaper that serves the immediate practice area;~~ (B)  
41 placing a written notice in the physician’s office; and (C) sending an email notice or postal letters  
42 to patients seen in the last two years notifying them of discontinuance of practice.”

43  
44 Your reference committee heard testimony in support of amendment but wishes to clarify that the  
45 first resolve was unnecessary because the language in the second resolve grants a physician  
46 flexibility with regard to the methods of providing notice.  
47

- 1 (20) Resolution 104 – Clarification of Guidelines for Online Prescribers in Texas (Travis County  
2 Medical Society)

3  
4 RECOMMENDATION:

5  
6 Madam Speaker, your reference committee recommends that Resolution 104 be adopted.

7  
8 This resolution resolves that: (1) the Texas Medical Association support national efforts to amend  
9 federal law and federal Drug Enforcement Administration regulations to allow for the e-  
10 prescribing of a medication, including a controlled substance, needed by a patient with a mental  
11 health or behavioral health diagnosis when an appropriate patient-physician relationship has been  
12 established through telemedicine and in accordance with state law and accepted standards of care,  
13 and (2) our Texas Delegation to the American Medical Association take this, or a similar,  
14 resolution to the AMA House of Delegates for consideration.  
15

16 Your reference committee heard testimony in support of the resolution.  
17

- 18 (21) Resolution 105 – Revision of Section 165.155 (a) of the Texas Occupations Code, Solicitation of  
19 Patients (Bexar County Medical Society)

20  
21 RECOMMENDATION:

22  
23 Madam Speaker, your reference committee recommends that Resolution 105 be referred with  
24 report back at A-19.

25  
26 This resolution resolves that the Texas Medical Association work to pass legislation that would  
27 rewrite Section 165.155 of the Texas Occupations Code, in particular, part (a) of the section, in  
28 order to eliminate the great potential for selective regulatory abuse, to eliminate any competitive  
29 burdens that are now placed on some groups of physicians, and to eliminate the present situation  
30 where physicians are unknowingly breaking the law.  
31

32 Your reference committee heard testimony in favor of this resolution. However, your reference  
33 committee believes the resolution needs further study on the details and implications to clarify the  
34 scope of the resolution and therefore recommends that it be referred.  
35

- 36 (22) Resolution 106 – Creation of a TMA Ad Hoc Committee on the Power and Influence of the  
37 Texas Non-Profit Health Corporation (NPHC)/501A Organization (Bexar County Medical  
38 Society)

39  
40 RECOMMENDATION A:

41  
42 Madam Speaker, your reference committee recommends that Resolution 106 be amended:

43  
44 That the Texas Medical Association study and make legislative recommendations on the effects  
45 of nonprofit health corporations (NPHCs)/5.01(a) organizations on the patients and physicians of  
46 Texas.  
47

48 RECOMMENDATION B:

49  
50 Madam Speaker, your reference committee recommends that Resolution 106 be adopted as  
51 amended with report back at A-19.

1 This resolution resolves that: (1) the Texas Medical Association establish an ad hoc committee to  
2 study the effects of nonprofit health corporations (NPHCs)/501A organizations on the patients  
3 and physicians of Texas, and (2) this ad hoc committee will generate recommendations based on  
4 its findings to educate and empower TMA to advocate effectively for needed changes in the  
5 statutes regulating NPHCs/501A organizations to protect the patients of Texas and the physicians  
6 who care for them.

7  
8 Your reference committee heard testimony about the need to study this issue. However, the  
9 Board of Trustees asked that this issue be addressed by an existing standing council and stated  
10 that it is unnecessary to create an ad hoc committee.

11  
12 (23) Resolution 107 – Physician Protections When Reporting Violations of Nonprofit Health  
13 Corporations (Harris County Medical Society)

14  
15 RECOMMENDATION A:

16  
17 Madam Speaker, your reference committee recommends that Resolution 107 be amended as  
18 follows:

19  
20 That the Texas Medical Association develop legislation that forbids retaliation by a nonprofit  
21 health corporation (NPHC) against any person working for the NPHC who files a complaint or  
22 reports a suspected violation of state or federal law; and be it further

23  
24 That the Texas Medical Association develop ~~model~~ legislation, or ask the Texas Medical Board  
25 (TMB) to adopt more robust rules providing TMB authority to accept, process, and dispose of  
26 complaints against a licensed NPHC ~~through its board members and/or the chief medical officer;~~  
27 and be it further

28  
29 That the Texas Medical Association ask the Texas Medical Board to develop a complaint form to  
30 facilitate filing complaints against NPHCs.

31  
32 RECOMMENDATION B:

33  
34 Madam Speaker, your reference committee recommends that Resolution 107 be adopted as  
35 amended.

36  
37 This resolution resolves that the Texas Medical Association develop: (1) legislation that forbids  
38 retaliation by a nonprofit health corporation (NPHC) against any person working for the NPHC  
39 who files a complaint or reports a suspected violation of state or federal law, and (2) model  
40 legislation, or ask the Texas Medical Board (TMB) to adopt rules providing TMB authority to  
41 accept, process, and dispose of complaints against a licensed NPHC through its board members  
42 and/or the chief medical officer.

43  
44 Your reference committee heard testimony in support of this resolution. However, your reference  
45 committee notes that the language needs clarification to better accomplish the intent of the  
46 resolution.

47

- 1 (24) Resolution 108 – Inclusion of Medical Students in Good Samaritan Laws and Policies for  
2 Disaster Settings (Medical Student Section)

3  
4 RECOMMENDATION A:

5  
6 Madam Speaker, your reference committee recommends that Resolution 108 be amended as  
7 follows:

8  
9 That the Texas Medical Association support medical students volunteering inside ~~outside~~ of their  
10 institutional affiliations during times of disaster and emergency, due to both the need for and the  
11 competency of medical students, as demonstrated by previous research and disaster situations;  
12 and be it further

13  
14 That the Texas Medical Association study the involvement of medical students in natural disaster  
15 and emergency situations in order to develop TMA policy regarding medical student roles in  
16 disaster situations; ~~and be it further~~

17  
18 ~~That the Texas Medical Association support the Good Samaritan law in application to medical~~  
19 ~~students as unlicensed providers of care in emergency settings, due to both the need for medical~~  
20 ~~students in disaster situations and the lack of protection afforded to them under current Texas law.~~

21  
22 RECOMMENDATION B:

23  
24 Madam Speaker, your reference committee recommends that Resolution 108 be adopted as  
25 amended.

26  
27 This resolution resolves that the Texas Medical Association: (1) support medical students  
28 volunteering outside of their institutional affiliations during times of disaster and emergency, due  
29 to both the need for and the competency of medical students, as demonstrated by previous  
30 research and disaster situations; (2) study the involvement of medical students in natural disaster  
31 and emergency situations; and (3) support the Good Samaritan law in application to medical  
32 students as unlicensed providers of care in emergency settings, due to both the need for medical  
33 students in disaster situations and the lack of protection afforded to them under current Texas law.  
34

35 Your reference committee heard testimony in favor of the intent of the resolution with several  
36 amendments to the language.

- 37  
38 (25) Resolution 109 – Liability Exemptions for Volunteer Medical Health Workers (Harris County  
39 Medical Society)

40  
41 RECOMMENDATION A:

42  
43 Madam Speaker, your reference committee recommends that Resolution 109 be amended as  
44 follows:

45  
46 That the Texas Medical Association develop legislation that establishes a statewide medical  
47 liability exemption for physicians and health care providers who work under the supervision of a  
48 physician ~~medical health workers~~ who respond to a call for medical volunteers from a state or  
49 local governmental or medical entity.  
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RECOMMENDATION B:

Madam Speaker, your reference committee recommends that Resolution 109 be adopted as amended.

This resolution resolves that the Texas Medical Association develop legislation that establishes a statewide medical liability exemption for medical health workers who respond to a call for medical volunteers from a state or local governmental or medical entity.

Your reference committee heard testimony in support of this resolution.

(26) Address of the President, Carlos J. Cardenas, MD

Madam Speaker, your reference committee recommends that the House of Delegates recognize TMA President Dr. Carlos Cardenas for his work on the MOC protection law, protecting patients from surprise billing, defending physicians' right to bill for services, enlisting physicians as community health activists, and addressing the issue of maternal mortality and morbidity.

Respectfully submitted,

Thomas D. Kimbrough, MD, chair  
David J. Donahue, MD  
David T. Lam, MD  
Hattie E. Henderson, MD  
Mr. Stephen Haff  
Gus W. Krucke, MD  
Vani S. Vallabhaneni, MD