

BILL ANALYSIS

H.B. 2400
By: Martinez
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the manner in which disagreements between first responder organizations and emergency medical services providers regarding treatment protocols or equipment are handled. H.B. 2400 seeks to improve dispute resolution among organizations and providers by setting out certain additional application requirements for first responder organizations.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 4 of this bill.

ANALYSIS

H.B. 2400 amends the Health and Safety Code to require each first responder organization, to the extent the rules adopted under the Emergency Health Care Act require a first responder organization to submit an application for a license, to include the following with an application for an initial or renewal first responder organization license:

- for a first responder organization affiliated with an emergency medical services provider:
 - notice of any disagreement regarding treatment protocols or equipment between the organization's medical director and the provider's medical director; and
- for a first responder organization not affiliated with an emergency medical services provider:
 - proof that the organization's medical director provided a copy of the organization's treatment protocols to the medical director of each emergency medical services provider that provides patient transport services for patients treated by the organization's personnel and that has an agreement with the organization; and
 - notice of any disagreement regarding treatment protocols or equipment between the first responder organization's medical director and the medical director of each emergency medical services provider that has an agreement with the organization.

H.B. 2400 prohibits the executive commissioner of the Health and Human Services Commission from requiring a first responder organization to obtain the approval of an emergency medical services provider's medical director regarding treatment protocols or equipment for issuance of

an initial or renewal license. The bill requires the executive commissioner to adopt any rules necessary to implement the bill's provisions relating to the additional application requirements.

H.B. 2400 requires the immediate on-scene care to ill or injured persons provided by a group or association of certified medical services personnel to be under the direction of a medical director in order for the group or association to be considered a first responder organization for purposes of the Emergency Health Care Act.

EFFECTIVE DATE

September 1, 2019.