

- SUBJECT:** Requirements for emergency medical services vehicles and providers
- COMMITTEE:** Public Health —favorable, without amendment
- VOTE:** 8 ayes — Delisi, Laubenberg, Truitt, Coleman, Dawson, Jackson, McReynolds, Zedler
- 0 nays
- 1 absent — Solis
- WITNESSES:** For —Rachel B. Harracksingh, Texas Ambulance Association, Life Ambulance Services; G.K. Sprinkle, Texas Ambulance Association.
- Against — None
- On — Terry Bavousett, Department of State Health Services.
- BACKGROUND:** The Emergency Medical Services Act, Health and Safety Code, ch. 773, governs certain transportation of sick and injured patients and public access to such transportation.
- The act excludes certain types of medical transportation and staff from its provisions and does not apply to ground or air transfer that does not advertise as an ambulance service and is not licensed by the department.
- The act also regulates emergency medical service providers — those who use or maintain emergency medical service vehicles, medical equipment, and emergency medical service personnel to provide emergency medical services. Under sec. 773.042, a person qualifies as a provider of basic life support emergency medical services by providing a vehicle designed for transporting the sick or injured and having personnel and sufficient equipment and supplies for providing basic life support.
- DIGEST:** HB 1126 would amend Health and Safety Code, ch. 773 to require ground vehicles transporting patients by stretcher to be licensed as ambulances.

The bill would require all basic life support emergency medical service providers to be capable of providing emergency and non-emergency transportation. All emergency medical services providers would have to have the qualifications required for a basic emergency medical services provider.

A person or vehicle affected by the changes would not be required to comply with the bill until January 1, 2006. Individuals who became licensed emergency medical services providers immediately before the effective date of the bill would have to meet the new requirements upon renewing a license. The bill would take effect September 1, 2005.

**SUPPORTERS  
SAY:**

By requiring vehicles that transport passengers by stretcher to be licensed, HB 1126 would help curb the growing number of injuries that occur in the transporting of sick or injured patients.

Currently, companies who are not licensed by the state may transfer sick or injured individuals to a medical facility. These companies are not required to meet minimum standards established for licensed vehicles, such as ambulances, and are not regulated by the state. This has caused several serious problems.

Because the companies are not licensed, they are not required to meet minimum state safety standards that are necessary for the safe transfer of a seriously injured patient. These standards include keeping necessary medical equipment in the vehicle and having certified life support personnel in the vehicle with the patient.

These companies also are not supervised by any one entity, so if a patient is seriously injured due to the negligence of an unlicensed transport company, the company may not be held accountable.

Many times a person uses an unlicensed transport vehicle believing that it is an ambulance or that the vehicle is equipped with the same medical equipment and personnel as an ambulance. HB 1126 would help to ensure that those needing medical assistance would receive proper medical care while en route to a hospital or other medical facility.

Current law disadvantages companies that choose to be licensed and provide a higher quality of care because companies without proper medical facilities and medical care in the vehicles can afford to charge

lower rates. This bill would remove this disincentive to licensing while increasing the quality of medical care.

Under HB 1126, unlicensed transport agencies still could offer services. The bill would prohibit unlicensed transport vehicles only from transporting individuals by stretcher, which tends to be a method used for those who are seriously injured or ill. Such vehicles should be required to meet minimum safety requirements to ensure the well-being of patients.

**OPPONENTS  
SAY:**

Many people choose to be transported by an unlicensed vehicle because it is cheaper than an ambulance. This bill would harm those who need medical transportation but cannot afford to pay for licensed transport services.

**NOTES:**

According to the fiscal note, the total biennial costs for implementation of the bill, offset by the revenue generated through additional licensing fees, would be \$195,000.

The companion bill, SB 521 by Madla, passed the Senate on the Local and Uncontested Calendar on March 31 and has been referred to the House Public Health Committee.