

## **BILL ANALYSIS**

Senate Research Center

H.B. 1407  
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Health & Human Services  
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Engrossed

### **DIGEST**

The U.S. Department of Transportation (DOT) is developing a new curriculum which will expand the knowledge base of paramedic personnel. The new curricula will take approximately 1,290 hours to complete. Currently, paramedic courses taught in Texas are averaging approximately 500 hours to complete. Adopting this new paramedic curriculum could cause a hardship for those who do not have access to necessary resources required to complete the course. As an alternative, adding a new fifth level to Emergency Medical Service (EMS) personnel, that of the "licensed paramedic," could encourage paramedics to improve their education level while preserving the interests of those already certified.

In addition, the Texas Department of Health (department) Bureau of Emergency Management, which is responsible for regulating EMS providers, has had difficulty enforcing regulations. Currently, the maximum administrative penalty for which the department is authorized to assess for noncompliance is \$250. This has proven to be an ineffective deterrent for many providers who view the penalty as simply "the cost of doing business."

H.B. 1407 would add a new level of EMS personnel called the "licensed paramedic." In addition, the bill increases the maximum administrative penalty for a violation of Section 773, Health and Safety Code, from \$250 to \$1000.

### **PURPOSE**

As proposed, H.B. 1407 adds a new level of EMS personnel called the "licensed paramedic," and increases the maximum administrative penalty for a violation of Section 773, Health and Safety Code, from \$250 to \$1000.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Board of Health in SECTION 2 (Section 773.0495, Health and Safety Code) and SECTION 5 (Section 773.065(c), Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends 773.003(10), Health and Safety Code, to redefine "emergency medical services personnel."

SECTION 2. Amends Chapter 773C, Health and Safety Code, by adding Section 773.0495, as follows:

Sec. 773.0495. LICENSED PARAMEDIC QUALIFICATIONS. Provides that an individual qualifies as a licensed paramedic if the Texas Department of Health (department) determines that the individual is minimally proficient to provide advanced life support that includes initiation under medical supervision of certain procedures, including intravenous therapy, endotracheal or esophageal intubation, electric cardiac defibrillation or cardioversion, and drug therapy. Requires a licensed paramedic to complete a curriculum that includes college-level course work in accordance with rules adopted by the Texas Board of Health (board).

SECTION 3. Amends Section 773.055(a), Health and Safety Code, to require a nonrefundable fee

to accompany each application for emergency medical services personnel certification. Prohibits the fee from exceeding \$100 for certification or recertification of a licensed paramedic. Makes conforming changes.

SECTION 4. Amends Section 773.064(a), Health and Safety Code, to provide that a person commits a Class A misdemeanor if the person knowingly practices as, attempts to practice as, or represents himself to be an emergency medical technician-paramedic, emergency medical technician-intermediate, emergency medical technician, emergency care attendant, or licensed paramedic and the person does not hold an appropriate certificate issued by the department under this chapter. Makes conforming changes.

SECTION 5. Amends Section 773.065(c), Health and Safety Code, to prohibit the penalty from exceeding \$1,000, rather than \$250, for each violation. Requires the board, by rule, to establish gradations of penalties with the relative seriousness of the violation.

SECTION 6. Amends Section 773.092(e), Health and Safety Code, to provide that communications and records that are confidential under this section may be disclosed to qualified persons to the extent necessary for management audits, financial audits, program evaluation, system improvement, or research, except that any report of the research, audit, or evaluation may not directly or indirectly identify a patient.

SECTION 7. Amends Section 773.095(a), Health and Safety Code, to provide that the proceedings and records of organized committees of hospitals, medical societies, emergency medical services providers, emergency medical services trauma systems, or first responder organizations relating to the review, evaluation, or improvement of an emergency medical services provider, a first responder organization, or emergency medical services personnel are confidential and not subject to disclosure by court subpoena or otherwise.

SECTION 8. Amends Section 773.115(a), Health and Safety Code, to require a trauma facility to be designated by the level of trauma care and services provided in accordance with the American College of Surgeons guidelines for level I, II, and III trauma centers and rules adopted by the board for level IV and V trauma centers.

SECTION 9. Makes application of this Act prospective.

SECTION 10. Effective date: September 1, 1997.

SECTION 11. Emergency clause.