

BILL ANALYSIS

Senate Research Center
78R598 JRD-D

S.B. 529
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Intergovernmental Relations
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As Filed

DIGEST AND PURPOSE

Currently, Texas Department of Health (TDH) standards for training emergency medical services (EMS) personnel through a local entity, such as a hospital, are often cost prohibitive. As a result, personnel in rural areas are required to travel to urban centers to access educational opportunities for EMS response and equipment. Some personnel are qualified to perform certain services but are not certified to perform those services because of the lack of available education. As proposed, S.B. 529 gives TDH the ability to grant administrative exemptions for rural EMS personnel and outlines specific guidelines regarding when a temporary exemption may be granted.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 773A, Health and Safety Code, by adding Section 773.0045, as follows:

Sec. 773.0045. TEMPORARY EXEMPTIONS FOR EMERGENCY MEDICAL SERVICES PERSONNEL PRACTICING IN RURAL AREA. (a) Defines “rural area.”

(b) Authorizes the Texas Department of Health (TDH) on a case-by-case basis to temporarily exempt emergency medical services personnel who primarily practice in a rural area from a requirement imposed either by Section 773.050 or 773.055, or by a rule adopted by TDH under Section 773.050 or 773.055 if specific circumstances that affect the rural area served by the emergency medical services personnel justify the exemption. Authorizes TDH to temporarily exempt the emergency medical services personnel from a requirement imposed under certain circumstances.

(c) Requires the exemption to be in writing, including the findings required by Subsection (b) and expire at a stated time. Requires the written findings to be accompanied by a concise and explicit statement that specifically describes the circumstances that support the finding.

(d) Requires TDH in writing, in granting the exemption, to require the affected emergency medical services personnel or the appropriate emergency medical services provider to adopt a written plan under which the applicable requirement will be met as soon as possible.

(e) Authorizes a temporary exemption under this section to allow emergency medical services personnel who are applicants for certification at a higher level of training to temporarily practice at the higher level.

SECTION 2. Effective date: upon passage or September 1, 2003.