

BILL ANALYSIS

Senate Research Center

H.B. 1126
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Health & Human Services
5/7/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

"Gurney cars" are vehicles with no medical equipment or that have no medically trained personnel and are exempted from coverage by the ambulance licensing laws. These types of vehicles are appropriate for non-emergency transfer of ambulatory persons or those using a wheel chair. However, there is concern that allowing the use of such cars to transport patients who are so ill as to require transport by stretcher compromises the individual's safety.

H.B. 1126 prohibits gurney cars from transporting stretcher-bound patients and prohibits the Department of State Health Services from licensing gurney cars as a type of ambulance.

H.B. 1126 also amends the Local Government Code to end confusion about whether emergency medical services personnel who are also fire fighters should be afforded the same civil service protection as a firefighter already covered by Chapter 143.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

[While the statutory reference in this bill is to the Texas Department of Health, the following amendments affect the Department of State Health Services, as the successor agency to the Texas Department of Health.]

SECTION 1. Amends Section 773.004(a), Health and Safety Code, to amend the exception to this chapter for a ground transfer vehicle and staff used to transport a patient who is under a physician's care between medical facilities or between a medical facility and a private residence to include that this exception does not apply unless it is medically necessary to transport the patient using a stretcher. Deletes existing text providing that this chapter does not apply to ground transfer that does not advertise as an ambulance service and that is not licensed by the Texas Department of Health (TDH).

SECTION 2. Amends Section 773.042, Health and Safety Code, as follows:

Sec. 773.042. BASIC LIFE-SUPPORT EMERGENCY MEDICAL SERVICES PROVIDER QUALIFICATIONS. Amends existing qualifications for a basic life-support emergency medical services provider to include that a provider is capable of providing emergency and nonemergency transportation.

SECTION 3. Amends Section 773.057, Health and Safety Code, by adding Subsection (e), to require that all emergency medical services providers, in addition to any other qualifications that an emergency medical services provider must possess to obtain the type of license sought, possess the qualifications required for a basic emergency medical services provider under Section 773.042.

SECTION 4. Amends Section 143.005, Local Government Code, as follows:

(a) Creates this subsection from existing text.

(b) Provides that in a municipality that adopts this chapter, an employee of the fire department whose primary duties are to provide emergency medical services for the municipality is considered to be a fire fighter who is a member of the fire department performing fire medical emergency technology, entitled to civil service protection, and covered by this chapter.

SECTION 5. (a) Provides that a person or vehicle that becomes subject to Chapter 773, Health and Safety Code, and rules adopted under that law as a result of the changes in law made by this Act, is not required to comply with Chapter 773 and applicable rules before June 1, 2006.

(b) Requires a person who is a licensed emergency medical services provider immediately before the effective date of this Act to meet the requirements of Section 773.042, Health and Safety Code, as amended by this Act, on renewing the license.

SECTION 6. Effective date: September 1, 2005.