

BILL ANALYSIS

Senate Research Center
83R7968 KKR-D

S.B. 1754
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Health & Human Services
4/18/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1754 defines acceptable training, testing, certification, and recertification of emergency medical service providers in the State of Texas. Processes will be established to allow other national certifying and testing organizations to test and certify emergency medical service workers and that certification will be accepted by the state for state certification. Adopting multiple national certifying and testing organizations for state certification creates competition to control cost and protect Texas from a private company monopolizing the industry. Similar legislation has already been passed in other states such as Arizona and Montana.

As proposed, S.B. 1754 amends current law relating to certification and recertification requirements for emergency services personnel.

[**Note:** While the statutory reference in this bill is to the commissioner of health, the following amendments affect the commissioner of state health services, as the successor office to the commissioner of health.]

[**Note:** While the statutory reference in this bill is to the Texas Board of Health (TBH), the following amendments affect the Department of State Health Services, as the successor agency to TBH.]

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 4 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 773.012, Health and Safety Code, by adding Subsection (m), as follows:

(m) Requires the advisory council appointed by the governor to advise the Texas Board of Health regarding matters related to certain responsibilities under this chapter (Emergency Medical Services) to create and provide to the commissioner of health (commissioner) a list of recommended standardized training programs and standardized certification examinations to be used by the Department of State Health Services (DSHS) to create a statewide standardized training and examination program for emergency medical services personnel. Requires the council to ensure that:

(1) each included standardized training program is consistent with the emergency medical services education standards of the United States Department of Transportation or of another emergency medical services agency specified by the commissioner; and

(2) each included standardized certification examination:

(A) examines material comparable to the material examined in tests conducted by national testing organizations that certify emergency medical services personnel;

(B) is based on the education standards described in Subdivision (1);

(C) includes procedures to test practical skills proficiency; and

(D) is certified as valid by an organization the council determines is capable of determining testing procedure and testing content validity.

SECTION 2. Amends Subchapter C, Chapter 773, Health and Safety Code, by adding Section 773.0541, as follows:

Sec. 773.0541. CERTIFICATION AND RECERTIFICATION REQUIREMENTS FOR EMERGENCY MEDICAL PERSONNEL. (a) Requires the commissioner to consider and approve not more than three statewide standardized certification examinations that are included in the list recommended by the advisory council under Section 773.012(m) for the certification and recertification of emergency medical services personnel. Requires that a standardized certification examination approved by the commissioner meet the requirements specified in that subsection.

(b) Requires the commissioner, in establishing minimum standards under Section 773.050 (Minimum Standards), to establish standards for the recertification of emergency medical services personnel that include the following options:

(1) passing an examination approved by the commissioner;

(2) completing the continuing education requirements established by DSHS, which is prohibited from exceeding the maximum number of education hours required for initial certification;

(3) holding a current certification issued by a national certification organization approved by the commissioner; and

(4) successfully completing a formal recertification course that complies with the minimum hours and standards established by DSHS.

SECTION 3. Amends Section 773.056, Health and Safety Code, as follows:

Sec. 773.056. APPROVAL OF TRAINING PROGRAMS; CERTIFICATION OF INSTRUCTORS, EXAMINERS, AND COORDINATORS. (a) Requires DSHS to approve one or more statewide standardized training programs that:

(1) are included in the list recommended by the advisory council under Section 773.012(m);

(2) are consistent with the emergency medical services education standards of the United States Department of Transportation or of another emergency medical services agency specified by the commissioner; and

(3) meet the minimum standards adopted under Section 773.050.

Deletes existing text requiring DSHS to approve each course or training program that meets the minimum standards adopted under Section 773.050.

(b) Requires DSHS to issue a certificate to each program instructor, examiner, or course coordinator who meets the standards adopted under Subsection (a), rather than the minimum standards adopted under Section 773.050.

SECTION 4. (a) Requires the advisory council appointed under Section 773.012, Health and Safety Code, as added by this Act, not later than March 1, 2014, to compile and provide to the commissioner of state health services the list of standardized training programs or standardized

certification examinations for emergency medical services personnel as required by Section 773.012(m), Health and Safety Code, as added by this Act.

(b) Requires the commissioner of state health services, not later than September 1, 2014, to approve a statewide standardized certification examination for emergency medical services personnel as required by Section 773.0541, Health and Safety Code, as added by this Act.

(c) Requires the commissioner of state health services, not later than September 1, 2014, to approve statewide standardized training programs for emergency medical services personnel and establish the standards for recertification of emergency medical services personnel, as required under Section 773.0541, Health and Safety Code, as added by this Act.

(d) Requires the executive commissioner of the Health and Human Services Commission, not later than September 1, 2014, to:

(1) adopt rules required to implement Section 773.0541, Health and Safety Code, as added by this Act; and

(2) adopt rules required to implement Section 773.056, Health and Safety Code, as amended by this Act.

(e) Provides that the changes in law made by this Act apply only to an emergency medical services personnel certification or recertification application submitted on or after September 1, 2014, and provides that an application submitted before that date is governed by the law in effect immediately before the effective date of this Act and that law is continued in effect for that purpose.

SECTION 5. Effective date: upon passage or September 1, 2013.