

BILL ANALYSIS

Senate Research Center
86R2631 JG-F

H.B. 2400
By: Martinez (Zaffirini)
Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current rules require a first responder organization (FRO) to have their medical plan approved by the EMS provider's medical director. This is not an issue when the FRO and the EMS provider share the same medical director. By requiring the approval of a separate, non-affiliated medical director, it restricts independent judgment of the FRO's medical director. H.B. 2400 would address disagreements between FROs and unaffiliated EMS providers by setting additional application requirements for an initial or renewal first responder organization license.

H.B. 2400 amends current law relating to the application requirements for first responder organizations to receive an initial license or to renew a license.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 773.003(16), Health and Safety Code, to redefine "first responder organization" as a group or association of certified emergency medical services personnel that, working in cooperation with a licensed emergency medical services provider, provides immediate on-scene care under the direction of a medical director, rather than provides immediate on-scene care, to ill or injured persons but does not transport those persons.

SECTION 2. Amends Subchapter C, Chapter 773, Health and Safety Code, by adding Section 773.0416, as follows:

Sec. 773.0416. ADDITIONAL APPLICATION REQUIREMENTS FOR FIRST RESPONDER ORGANIZATIONS. (a) Requires each first responder organization, to the extent the rules adopted under this chapter (Emergency Medical Services) require a first responder organization to submit an application for a license, to include with an application for an initial or renewal license:

(1) for a first responder organization affiliated with an emergency medical services provider, notice of any disagreement regarding treatment protocols or equipment between the first responder organization's medical director and the emergency medical services provider's medical director; and

(2) for a first responder organization not affiliated with an emergency medical services provider:

(A) proof that the first responder organization's medical director provided a copy of the organization's treatment protocols to the medical director of each emergency medical services provider that provides patient transport services for patients treated by the organization's personnel and that has an agreement with the organization; and

(B) notice of any disagreement regarding treatment protocols or equipment between the first responder organization's medical director and the medical director of each emergency medical services provider that has an agreement with the organization.

(b) Prohibits the executive commissioner of the Health and Human Services Commission (executive commissioner) from requiring a first responder organization to obtain the approval of an emergency medical services provider's medical director regarding treatment protocols or equipment for issuance of an initial or renewal first responder organization license.

SECTION 3. Makes application of Section 773.0416, Health and Safety Code, as added by this Act, prospective.

SECTION 4. Requires the executive commissioner, as soon as practicable after the effective date of this Act, to adopt any rules necessary to implement Section 773.0416, Health and Safety Code, as added by this Act.

SECTION 5. Effective date: September 1, 2019.