

BILL ANALYSIS

Senate Research Center
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H.B. 871
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current regulations require hospitals with a Level IV trauma designation, the lowest level, to have a physician standing by or able to respond within 30 minutes to the emergency room at all times. Most rural hospitals in Texas fit into this category.

Many of these hospitals use contract visiting physicians, who may not have the appropriate trauma training or experience to cover their emergency room when local physicians cannot, but this can be very expensive.

Telemedicine technology and the use of remote emergency physicians via telemedicine has advanced to the point that a higher level of care can be electronically transported into rural hospital emergency rooms thereby filling the gap in areas lacking in trauma services.

Current Texas rules do not allow such telemedicine use with trauma designations.

H.B. 871 allows health facilities located in counties with a population of fewer than 30,000 to meet requirements of a Level IV trauma facility through the use of telemedicine medical services.

H.B. 871 would allow for an on-call physician who is trained in caring for critically injured patients to provide an assessment, diagnosis, consultation, treatment, or transfer of medical data to a physician, advanced practice registered nurse, or physician assistant at the facility.

H.B. 871 amends current law relating to use of telemedicine medical service by certain trauma facilities.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the executive commissioner of the Health and Human Services Commission is modified in SECTION 1 (Section 773.1151, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 773, Health and Safety Code, by adding Section 773.1151, as follows:

Sec. 773.1151. USE OF TELEMEDICINE MEDICAL SERVICE BY CERTAIN TRAUMA FACILITIES. (a) Defines "telemedicine medical service" for purposes of this section.

(b) Authorizes health care facility located in a county with a population of less than 30,000 to satisfy a Level IV trauma facility designation requirement relating to physicians through the use of telemedicine medical service in which an on-call physician who has special competence in the care of critically injured patients provides patient assessment, diagnosis, consultation, or treatment or transfers medical data to a physician, advanced practice registered nurse, or physician assistant located at the facility.

(c) Prohibits the executive commissioner of the Health and Human Services Commission (executive commissioner), in establishing the requirements for designating a facility as a Level IV trauma facility, from adopting rules that:

(1) require the physical presence or physical availability of a physician who has special competence in the care of critically injured patients; or

(2) prohibit the use of telemedicine medical service that meets the requirements of Subsection (b).

SECTION 2. Requires the executive commissioner to adopt rules to implement Section 773.1151, Health and Safety Code, as added by this Act, not later than December 1, 2019.

SECTION 3. Makes application of this Act prospective to January 1, 2020.

SECTION 4. Effective date: September 1, 2019.