

BILL ANALYSIS

Senate Research Center
88R11038 MPF-F

S.B. 1193
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Administrative Code, Chapter 131, Rule §131.46 requires that freestanding emergency medical care facilities have one or more physicians on-site at all times during the facility hours of operations. Freestanding ERs are also subject to regulation under the Texas Health and Safety Code, Chapter 254. S.B.1193 would codify the on-site physician requirement in Chapter 254 of the Health and Safety Code. By requiring a physician on-site at all times, this will ensure patient safety, a high level of medical care, and lower costs to the healthcare system.

In addition, S.B. 1193 would require Freestanding ERs to disclose the on-site physicians' names and licensure, and inform the patient through signage that they can request to meet with a physician if that is their preference.

As proposed, S.B. 1193 amends current law relating to an on-site physician and disclosure of physician information at a freestanding emergency medical care facility.

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 Section 254.001, Health and Safety Code, by adding Subdivision (5-a) to define "physician."

SECTION 2. Amends Subchapter D, Chapter 254, Health and Safety Code, by adding Sections 254.1535 and 254.1565, as follows:

Sec. 254.1535. ON-SITE PHYSICIAN REQUIRED; PATIENT RIGHT TO REQUEST PHYSICIAN. (a) Requires a facility to have at least one physician present at the facility at all times while the facility is open to provide health care services to patients.

(b) Provides that a patient has the right to request that a physician perform all the patient's health care services and to receive health care services from a physician within a reasonable time of the request.

Sec. 254.1565. DISCLOSURE OF ON-SITE PHYSICIAN. (a) Requires a facility to display a poster or other written document that in a clear and conspicuous manner discloses:

- (1) the name of the physician supervising any health care practitioners who are not physicians and who provide health care services at the facility;
- (2) the supervising physician's license number; and
- (3) any board certification held by the supervising physician.

(b) Requires that a poster or other written document displayed under Subsection (a) include the statement that any patient is authorized to request to see a physician and receive care from a physician within a reasonable time.

SECTION 3. Effective date: September 1, 2023.