

BILL ANALYSIS

Senate Research Center
88R11289 EAS-F

S.B. 2133
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Health & Human Services
4/17/2023
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many dialysis patients depend on public transportation or contracted medical transportation services in order to get to the dialysis facility. During a declared disaster, transportation is limited for many, including dialysis patients. Currently, emergency medical service providers are not required to have alternative modes of transportation for dialysis patients during the declared disasters. Declared disasters often divert resources to the emergency. This places dialysis patients at risk of missing lifesaving treatment, which is typically required three to five times a week.

This bill proposes amending the Health and Safety Code in Texas regarding transportation procedures for certain end stage renal disease facility patients during a declared disaster. Emergency medical service providers will be required to adopt and implement a plan for providing alternative modes of transportation for a dialysis patients to and from their home and their dialysis center. This is to address the patient's need for transportation to their appointment when their normal mode of transportation is unavailable.

As proposed, S.B. 2133 amends current law relating to transportation procedures for certain end stage renal disease facility patients during a declared disaster.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 773.050, Health and Safety Code) of this bill.

Rulemaking authority previously granted to the executive commissioner of the Health and Human Services Commission is rescinded in SECTION 2 (Section 773.112, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 773.050, Health and Safety Code, by adding Subsection (j), as follows:

(j) Requires the executive commissioner of the Health and Human Services Commission (executive commissioner) by rule, in a manner consistent with Section 773.112 (Rules), to require each emergency medical services provider to adopt and implement a procedure for providing, during a declared disaster, an alternative mode of transportation for a dialysis patient from the patient's location directly to an outpatient end stage renal disease facility when the patient's normal mode of transportation is unavailable because of the declared disaster. Requires each emergency medical services provider to promptly submit a copy of the adopted procedure to the Department of State Health Services. Defines "disaster" and "end stage renal disease facility."

SECTION 2. Repealer: Section 773.112(d) (relating to requiring the executive commissioner by rule to require that each applicable emergency medical services medical director approve protocols that give preference to the emergency transfer of a dialysis patient from the patient's location directly to an outpatient end stage renal disease facility during a declared disaster), Health and Safety Code.

SECTION 3. Effective date: September 1, 2023.