

By: Darby

H.B. No. 617

A BILL TO BE ENTITLED

AN ACT

relating to a pilot project to provide emergency telemedicine  
medical services and telehealth services in rural areas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 771, Health and Safety Code, is amended  
by adding Subchapter F to read as follows:

SUBCHAPTER F. NEXT GENERATION 9-1-1 TELEMEDICINE MEDICAL SERVICES  
AND TELEHEALTH SERVICES PILOT PROJECT

Sec. 771.151. DEFINITIONS. In this subchapter:

(1) "Center" means the area health education center at  
the Texas Tech University Health Sciences Center that meets the  
requirements of 42 U.S.C. Section 294a and has been awarded federal  
funding as an area health education center.

(2) "Emergency medical services" means services used  
to respond to an individual's perceived need for immediate medical  
care and to prevent death or aggravation of physiological or  
psychological illness or injury.

(3) "Emergency medical services provider" means a  
person who uses or maintains emergency medical services vehicles,  
medical equipment, and emergency medical services personnel to  
provide emergency medical services.

(4) "Emergency prehospital care" means care provided  
to a sick or injured individual before or during transportation of  
the individual to a medical facility, and includes any necessary

1 stabilization of the individual in connection with that  
2 transportation.

3 (5) "Pilot project" means a pilot project established  
4 under Section 771.152.

5 (6) "Regional trauma resource center" means a trauma  
6 facility the center selects to participate in the pilot project.

7 (7) "Rural area" means:

8 (A) a county with a population of 50,000 or less;

9 or

10 (B) a large, isolated, and sparsely populated  
11 area of a county with a population of more than 50,000.

12 (8) "Telehealth service" and "telemedicine medical  
13 service" have the meanings assigned by Section 111.001, Occupations  
14 Code.

15 (9) "Trauma facility" means a health care facility  
16 equipped and staffed to provide comprehensive treatment of  
17 seriously injured individuals as part of an emergency medical  
18 services and trauma care system.

19 Sec. 771.152. ESTABLISHMENT OF PILOT PROJECT. (a) The  
20 commission, with the assistance of the center, shall establish a  
21 pilot project to provide emergency medical services instruction and  
22 emergency prehospital care instruction through a telemedicine  
23 medical service or telehealth service provided by regional trauma  
24 resource centers to:

25 (1) health care providers in rural area trauma  
26 facilities; and

27 (2) emergency medical services providers in rural

1 areas.

2 (b) The commission shall provide technical assistance to  
3 the center in implementing the pilot project.

4 (c) The center, with the assistance of the commission,  
5 shall:

6 (1) design criteria and protocols for each  
7 telemedicine medical service or telehealth service offered and the  
8 related instruction, and provide the oversight necessary to conduct  
9 the pilot project;

10 (2) define criteria to determine when a telemedicine  
11 medical service or telehealth service that provides instruction for  
12 emergency medical services, emergency prehospital care, and trauma  
13 care should be transferred to an emergency medical resource center  
14 for intervention; and

15 (3) collect the data necessary to evaluate the  
16 project.

17 (d) The center may make available appropriate resources for  
18 individuals who do not speak English.

19 Sec. 771.153. PERSONNEL. The center shall provide the  
20 telemedicine medical service or telehealth service and related  
21 instruction for the pilot project through health care providers in  
22 regional trauma resource centers, including physicians,  
23 pharmacists, emergency medical personnel, and other health  
24 professionals.

25 Sec. 771.154. PARTICIPATION IN PILOT PROJECT. (a) The  
26 center shall determine the trauma facilities and emergency medical  
27 services providers interested in participating in the pilot

1 project.

2 (b) A trauma facility or emergency medical services  
3 provider participating in the pilot project must agree to  
4 successfully complete any required training and to provide all  
5 reports required by the center for the project.

6 Sec. 771.155. SELECTION OF PILOT PROJECT PARTICIPANTS AND  
7 REGIONAL TRAUMA RESOURCE CENTERS. (a) The center, with the  
8 assistance of the commission, may select trauma facilities and  
9 emergency medical services providers to participate in the pilot  
10 project and select trauma facilities to serve as regional trauma  
11 resource centers.

12 (b) The center may not select a trauma facility to  
13 participate in the pilot project or to serve as a regional trauma  
14 resource center unless the facility:

15 (1) has a quality assurance program that measures each  
16 health care provider's compliance with the medical protocol;

17 (2) uses emergency medical services and emergency  
18 prehospital care protocols approved by a physician medical director  
19 knowledgeable in emergency medical services and emergency  
20 prehospital care;

21 (3) has experience in providing emergency medical  
22 services and emergency prehospital care that the center determines  
23 is sufficient; and

24 (4) has resources sufficient to provide the additional  
25 telemedicine medical services or telehealth services and related  
26 instruction required for the project in addition to the health care  
27 services the facility already provides.

1       (c) In selecting a trauma facility to serve as a regional  
2 trauma resource center, the center shall consider the facility  
3 personnel's ability to maintain records and produce reports to  
4 measure the effectiveness of the pilot project. The center shall  
5 share information regarding that ability with the commission.

6       Sec. 771.156. FUNDING OF PILOT PROJECT. (a) Money  
7 collected under Section 771.072(f) may be appropriated to the  
8 commission to fund the pilot project.

9       (b) The center may seek grants to fund the pilot project.

10       (c) A political subdivision with a trauma facility that  
11 participates in the pilot project may pay part of the project costs.

12       (d) If a sufficient number of political subdivisions in a  
13 region that may be served by the pilot project agree to pay the  
14 center an amount that together with other funding received under  
15 this section is sufficient to fund the project for the region, the  
16 center shall:

17               (1) contract with the political subdivisions for each  
18 subdivision to pay an appropriate share of the cost; and

19               (2) implement the project for the region when the  
20 amounts agreed to in the contracts and any other funding received  
21 under this section are sufficient to fund the project for the  
22 region.

23       Sec. 771.157. REPORT TO LEGISLATURE. The center, in  
24 cooperation with the commission, shall report its findings to the  
25 governor and the presiding officer of each house of the legislature  
26 not later than December 31, 2028.

27       Sec. 771.158. LIABILITY. The operations of the center and a

1 regional trauma resource center are considered to be the provision  
2 of 9-1-1 services for purposes of Section 771.053. Employees of and  
3 volunteers at the regional trauma resource center have the same  
4 protection from liability as a member of the governing body of a  
5 public agency under Section 771.053.

6 Sec. 771.159. PROJECT WORK GROUP. (a) The center may  
7 appoint a project work group to assist the center in developing,  
8 implementing, and evaluating the pilot project and preparing a  
9 report on the center's findings.

10 (b) A member of the project work group is not entitled to  
11 compensation for serving on the project work group and may not be  
12 reimbursed for travel or other expenses incurred while conducting  
13 the business of the project work group.

14 (c) The project work group is not subject to Chapter 2110,  
15 Government Code.

16 Sec. 771.160. EXPIRATION. This subchapter expires  
17 September 1, 2029.

18 SECTION 2. Section 771.072(g), Health and Safety Code, is  
19 amended to read as follows:

20 (g) Notwithstanding any other law, revenue derived from the  
21 equalization surcharge imposed under this section may be  
22 appropriated to the commission only for the purposes described by  
23 Section 771.156 and Sections 773.122 through 773.124.

24 SECTION 3. This Act takes effect September 1, 2023.