

By: Blanco, Sparks

S.B. No. 1588

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to variances from Department of State Health Services  
3 rules governing the provision of emergency medical services.

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

5 SECTION 1. Sections 773.052(a), (c), (d), and (f), Health  
6 and Safety Code, are amended to read as follows:

7 (a) An emergency medical services provider with a specific  
8 hardship may apply to the department for a variance from a rule  
9 adopted under this chapter. ~~[The executive commissioner by rule  
10 may adopt a fee of not more than \$30 for filing an application for a  
11 variance.]~~

12 (c) The department shall grant to an emergency medical  
13 services provider who is the [a] sole provider for a service area a  
14 variance from the minimum staffing standards [for staffing and  
15 equipment] for the provision of [basic life support] emergency  
16 medical services in that service area [if the provider is an  
17 emergency medical services provider exempt from the payment of fees  
18 under Section 773.0581].

19 (d) An applicant for a variance under Subsection (c) must  
20 submit a letter to the department from the commissioners court of  
21 the county or the governing body of the municipality in which the  
22 provider intends to operate an emergency medical services vehicle  
23 in the provision of emergency medical services in a service area of  
24 the county or municipality. ~~[The letter must state that there is no~~

1 ~~other emergency medical services provider in the service area.]~~

2 (f) The department shall issue an emergency medical  
3 services license to a provider granted a variance under this  
4 section. The license is subject to annual review by the department.  
5 A provider is encouraged to upgrade staffing [~~and equipment~~] to  
6 meet the minimum standards set by the rules adopted under this  
7 chapter.

8 SECTION 2. Section 773.052, Health and Safety Code, as  
9 amended by this Act, applies only to a variance application  
10 submitted on or after the effective date of this Act. A variance  
11 application submitted before the effective date of this Act is  
12 governed by the law applicable to the application on the date the  
13 application was submitted, and that law is continued in effect for  
14 that purpose.

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