

AN ACT

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

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

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

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

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

(d) An applicant for a variance under Subsection (c) must submit a letter to the department from the commissioners court of the county or the governing body of the municipality in which the provider intends to operate an emergency medical services vehicle in the provision of emergency medical services in a service area of 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.

S.B. No. 1588

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1588 passed the Senate on April 12, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1588 passed the House on May 6, 2023, by the following vote: Yeas 125, Nays 9, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor