BILL ANALYSIS

BACKGROUND AND PURPOSE

Currently, the fees and administrative penalties generated by the Emergency Management Services (EMS) program administered by the Texas Department of Health do not cover the costs needed to the administer the program. The fees and penalties are set into statute and have not been updated to cover the administration costs and currently cover less than 36% of the programs costs. Administrative penalties are capped at $1000 and do not provide ample penalty for repeat offenders.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Board of Health in SECTION 11 (Section 773.116, Health and Safety Code) of this bill. It is the committee's opinion that rulemaking authority is expressly granted to the Texas Board of Health in SECTION 10 (Section 773.071, Health and Safety Code) of this bill.

ANALYSIS

The act adjusts the application fees and deposits required for certification for EMS personnel. The act adjusts the fees for hardship applications and EMS training programs. The act adjusts the application and recertification fees for technician paramedics, licensed paramedics, and emergency medical technicians. The act adjusts the fees for reexaminations for certification, provisional licenses, and lost or stolen certifications. The act adjusts the application fees for vehicles and inspections. The act adjusts the penalty amounts for compliance violations. The act sets fees for designation of trauma facilities.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original in that the substitute sets caps on the fees collected by the department. The original allowed the department to recover the costs associated with administering the program through various fees by rule. The substitute adjusts the caps on the various fees and fines rather than allowing an uncapped environment.