

## **BILL ANALYSIS**

S.B. 529  
By: Madla  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, Texas Department of Health (TDH) standards for training emergency medical services (EMS) personnel through a local entity, such as a hospital, are often cost prohibitive. As a result, personnel in rural areas are required to travel to urban centers to access educational opportunities for EMS response and equipment. Some personnel are qualified to perform certain services but are not certified to perform those services because of the lack of available education. As proposed, this bill gives TDH the ability to grant administrative exemptions for rural EMS personnel and outlines specific guidelines regarding when a temporary exemption may be granted.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

This bill amends Chapter 773A, Health and Safety Code, by adding Section 773.0045. Section 773.0045 defines “rural area.” and authorizes the Texas Department of Health (TDH) on a case-by-case basis to temporarily exempt emergency medical services personnel who primarily practice in a rural area from a requirement imposed either by Section 773.050 or 773.055, or by a rule adopted by TDH under Section 773.050 or 773.055 if specific circumstances that affect the rural area served by the emergency medical services personnel justify the exemption. In addition the bill authorizes TDH to temporarily exempt the emergency medical services personnel from a requirement imposed under certain circumstances.

The bill requires the exemption to be in writing, including the findings required by Subsection (b) and expire at a stated time. In addition the written findings are required to be accompanied by a concise and explicit statement that specifically describes the circumstances that support the finding.

The bill further requires TDH in writing, in granting the exemption, to require the affected emergency medical services personnel or the appropriate emergency medical services provider to adopt a written plan under which the applicable requirement will be met as soon as possible.

The bill authorizes a temporary exemption under this section to allow emergency medical services personnel who are applicants for certification at a higher level of training to temporarily practice at the higher level.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.