

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to temporarily exempting emergency medical services  
3 personnel who serve a rural area of the state from certain legal  
4 requirements.

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

6 SECTION 1. Subchapter A, Chapter 773, Health and Safety  
7 Code, is amended by adding Section 773.0045 to read as follows:

8 Sec. 773.0045. TEMPORARY EXEMPTIONS FOR EMERGENCY MEDICAL  
9 SERVICES PERSONNEL PRACTICING IN RURAL AREA. (a) In this section,  
10 "rural area" means:

11 (1) a county with a population of 50,000 or less; or

12 (2) a relatively large, isolated, and sparsely  
13 populated area in a county with a population of more than 50,000.

14 (b) The department on a case-by-case basis may temporarily  
15 exempt emergency medical services personnel who primarily practice  
16 in a rural area from a requirement imposed either by Section 773.050  
17 or 773.055 or by a rule adopted by the department under Section  
18 773.050 or 773.055 if specific circumstances that affect the rural  
19 area served by the emergency medical services personnel justify the  
20 exemption. The department may temporarily exempt the emergency  
21 medical services personnel from a requirement imposed:

22 (1) by a department rule adopted under Section 773.050  
23 or 773.055 only if the department finds that, under the  
24 circumstances, imposing the requirement would not be in the best

1 interests of the people in the rural area who are served by the  
2 emergency medical services personnel; and

3 (2) by Section 773.050 or 773.055 only if the  
4 department finds that, under the circumstances, there is a  
5 substantial risk that imposing the requirement will detrimentally  
6 affect the health or safety of one or more persons in the affected  
7 rural area or hinder the ability of emergency medical services  
8 personnel who practice in the area to alleviate a threat to the  
9 health or safety of one or more persons in the area.

10 (c) The exemption must be in writing, include the findings  
11 required by Subsection (b), and expire at a stated time. The  
12 written findings must be accompanied by a concise and explicit  
13 statement that specifically describes the circumstances that  
14 support the finding.

15 (d) In granting the exemption, the department in writing  
16 must require the affected emergency medical services personnel or  
17 the appropriate emergency medical services provider to adopt a  
18 written plan under which the applicable requirement will be met as  
19 soon as possible.

20 (e) A temporary exemption under this section may allow  
21 emergency medical services personnel who are applicants for  
22 certification at a higher level of training to temporarily practice  
23 at the higher level.

24 SECTION 2. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

S.B. No. 529

1 Act takes effect September 1, 2003.