

1-1 By: Madla S.B. No. 529  
1-2 (In the Senate - Filed February 17, 2003; February 24, 2003,  
1-3 read first time and referred to Committee on Intergovernmental  
1-4 Relations; April 3, 2003, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; April 3, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to temporarily exempting emergency medical services  
1-9 personnel who serve a rural area of the state from certain legal  
1-10 requirements.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter A, Chapter 773, Health and Safety  
1-13 Code, is amended by adding Section 773.0045 to read as follows:

1-14 Sec. 773.0045. TEMPORARY EXEMPTIONS FOR EMERGENCY MEDICAL  
1-15 SERVICES PERSONNEL PRACTICING IN RURAL AREA. (a) In this section,  
1-16 "rural area" means:

1-17 (1) a county with a population of 50,000 or less; or

1-18 (2) a relatively large, isolated, and sparsely  
1-19 populated area in a county with a population of more than 50,000.

1-20 (b) The department on a case-by-case basis may temporarily  
1-21 exempt emergency medical services personnel who primarily practice  
1-22 in a rural area from a requirement imposed either by Section 773.050  
1-23 or 773.055 or by a rule adopted by the department under Section  
1-24 773.050 or 773.055 if specific circumstances that affect the rural  
1-25 area served by the emergency medical services personnel justify the  
1-26 exemption. The department may temporarily exempt the emergency  
1-27 medical services personnel from a requirement imposed:

1-28 (1) by a department rule adopted under Section 773.050  
1-29 or 773.055 only if the department finds that, under the  
1-30 circumstances, imposing the requirement would not be in the best  
1-31 interests of the people in the rural area who are served by the  
1-32 emergency medical services personnel; and

1-33 (2) by Section 773.050 or 773.055 only if the  
1-34 department finds that, under the circumstances, there is a  
1-35 substantial risk that imposing the requirement will detrimentally  
1-36 affect the health or safety of one or more persons in the affected  
1-37 rural area or hinder the ability of emergency medical services  
1-38 personnel who practice in the area to alleviate a threat to the  
1-39 health or safety of one or more persons in the area.

1-40 (c) The exemption must be in writing, include the findings  
1-41 required by Subsection (b), and expire at a stated time. The  
1-42 written findings must be accompanied by a concise and explicit  
1-43 statement that specifically describes the circumstances that  
1-44 support the finding.

1-45 (d) In granting the exemption, the department in writing  
1-46 must require the affected emergency medical services personnel or  
1-47 the appropriate emergency medical services provider to adopt a  
1-48 written plan under which the applicable requirement will be met as  
1-49 soon as possible.

1-50 (e) A temporary exemption under this section may allow  
1-51 emergency medical services personnel who are applicants for  
1-52 certification at a higher level of training to temporarily practice  
1-53 at the higher level.

1-54 SECTION 2. This Act takes effect immediately if it receives  
1-55 a vote of two-thirds of all the members elected to each house, as  
1-56 provided by Section 39, Article III, Texas Constitution. If this  
1-57 Act does not receive the vote necessary for immediate effect, this  
1-58 Act takes effect September 1, 2003.

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