

BILL ANALYSIS

H.B. 1577
By: Nixon
Civil Practices
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In a state as large and diverse as Texas, natural catastrophes are a reality as are man-created disasters. Today there is a greater potential for tragedy because of increased terrorist activities. During a major disaster, the demand for voluntary medical care is tremendous, however, state law creates a barrier to fully utilizing the skills of licensed Physician Assistants in such situations. Current law authorizes a physician assistant to *provide medical services delegated by a supervising physician that are within the education, training, and experience of the physician assistant.*

HB 1577 amends current law to allow physicians assistants to provide medical assistance during times of disaster.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

HB 1577 amends the Occupations Code by adding a new Sec. 204.2045 providing that the supervision and delegation requirements in the Physician Assistants Licensing Act do not apply during a disaster declared by the governor, the federal government or under the state emergency management plan. A physician assistant can perform medical tasks without supervision or delegation by a physician, provided that the tasks are performed without any compensation. A physician assistant performing medical tasks under this section is immune from liability under Sec. 74.151, Civil Practice and Remedies Code.

The bill provides that a physician assistant may perform medical tasks during a disaster under the supervision of a physician that is also volunteering or without supervision if a physician is not available.

HB 1577 provides that a physician assistant employed by the federal government or licensed in another state is not required to hold a Texas license to perform medical tasks under this section.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.