

By: Nixon, Homer, Frost, Farabee

H.B. No. 1577

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision of health care services by a physician
3 assistant during a disaster.

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

5 SECTION 1. Subchapter E, Chapter 204, Occupations Code, is
6 amended by adding Section 204.2045 to read as follows:

7 Sec. 204.2045. SERVICES PERFORMED DURING DISASTER. (a)
8 The supervision and delegation requirements of this chapter and
9 Subtitle B do not apply to medical tasks performed by a physician
10 assistant during a disaster under the state emergency management
11 plan adopted under Section 418.042, Government Code, or a disaster
12 declared by the governor or United States government. This section
13 does not apply to medical tasks performed by a physician assistant
14 for compensation or other remuneration.

15 (b) A physician assistant performing medical tasks under
16 this section is entitled to the immunity from liability provided by
17 Section 74.151, Civil Practice and Remedies Code.

18 (c) A physician assistant may perform tasks described by
19 this section:

20 (1) under the supervision of any physician who is also
21 performing volunteer work in the disaster; or

22 (2) without the supervision of a physician, if a
23 physician is not available to provide supervision.

24 (d) A physician assistant employed by the United States

1 government or licensed in another state may perform medical tasks
2 in this state in circumstances described by Subsection (a) without
3 holding a license in this state.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2005.