

1-1 By: Nixon, et al. (Senate Sponsor - Janek) H.B. No. 1577
1-2 (In the Senate - Received from the House May 5, 2005;
1-3 May 8, 2005, read first time and referred to Committee on State
1-4 Affairs; May 13, 2005, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 13, 2005, sent to printer.)

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

1-8 relating to the provision of health care services by a physician
1-9 assistant during a disaster.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter E, Chapter 204, Occupations Code, is
1-12 amended by adding Section 204.2045 to read as follows:

1-13 Sec. 204.2045. SERVICES PERFORMED DURING DISASTER. (a)
1-14 The supervision and delegation requirements of this chapter and
1-15 Subtitle B do not apply to medical tasks performed by a physician
1-16 assistant during a disaster under the state emergency management
1-17 plan adopted under Section 418.042, Government Code, or a disaster
1-18 declared by the governor or United States government. This section
1-19 does not apply to medical tasks performed by a physician assistant
1-20 for compensation or other remuneration.

1-21 (b) A physician assistant performing medical tasks under
1-22 this section is entitled to the immunity from liability provided by
1-23 Section 74.151, Civil Practice and Remedies Code.

1-24 (c) A physician assistant may perform tasks described by
1-25 this section:

1-26 (1) under the supervision of any physician who is also
1-27 performing volunteer work in the disaster; or

1-28 (2) without the supervision of a physician, if a
1-29 physician is not available to provide supervision.

1-30 (d) A physician assistant employed by the United States
1-31 government or licensed in another state may perform medical tasks
1-32 in this state in circumstances described by Subsection (a) without
1-33 holding a license in this state.

1-34 SECTION 2. This Act takes effect immediately if it receives
1-35 a vote of two-thirds of all the members elected to each house, as
1-36 provided by Section 39, Article III, Texas Constitution. If this
1-37 Act does not receive the vote necessary for immediate effect, this
1-38 Act takes effect September 1, 2005.

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