

1-1 By: Madla S.B. No. 520
1-2 (In the Senate - Filed February 15, 2005; February 28, 2005,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 25, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 25, 2005,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 520 By: Madla

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the provision of health care services by a physician
1-11 assistant during a disaster.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter E, Chapter 204, Occupations Code, is
1-14 amended by adding Section 204.2045 to read as follows:

1-15 Sec. 204.2045. SERVICES PERFORMED DURING DISASTER.

1-16 (a) The supervision and delegation requirements of this chapter
1-17 and Subtitle B do not apply to medical tasks performed by a
1-18 physician assistant during a disaster under the state emergency
1-19 management plan adopted under Section 418.042, Government Code, or
1-20 a disaster declared by the governor or United States government.
1-21 This section does not apply to medical tasks performed by a
1-22 physician assistant for compensation or other remuneration.

1-23 (b) A physician assistant performing medical tasks under
1-24 this section is entitled to the immunity from liability provided by
1-25 Section 74.151, Civil Practice and Remedies Code.

1-26 (c) A physician assistant may perform tasks described by
1-27 this section:

1-28 (1) under the supervision of any physician who is also
1-29 performing volunteer work in the disaster; or

1-30 (2) without the supervision of a physician, if a
1-31 physician is not available to provide supervision.

1-32 (d) A physician assistant employed by the United States
1-33 government or licensed in another state may perform medical tasks
1-34 in this state in circumstances described by Subsection (a) without
1-35 holding a license in this state.

1-36 SECTION 2. This Act takes effect immediately if it receives
1-37 a vote of two-thirds of all the members elected to each house, as
1-38 provided by Section 39, Article III, Texas Constitution. If this
1-39 Act does not receive the vote necessary for immediate effect, this
1-40 Act takes effect September 1, 2005.

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