

BILL ANALYSIS

S.B. 1033
By: Uresti
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

H.B. 1126 enacted by the 79th Legislature amended a portion of the law regulating ambulance providers to ensure that vehicles carrying patients on a stretcher are licensed as ambulances. The amended language contains a double negative that the Department of State Health Services finds difficult to interpret, as well as several terms that are not defined by the Health and Safety Code.

SB 1033 changes the language of the statute to be clear and unambiguous.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 3 of this bill.

ANALYSIS

SB 1033 amends Section 773.004(a), Health and Safety Code, by deleting existing text providing that this chapter does not apply to a ground transfer vehicle and staff used to transport a patient who is under a physician's care between medical facilities or between a medical facility and a private residence, unless it is medically necessary to transport the patient using a stretcher and makes conforming changes.

SB 1033 amends Section 773.041, Health and Safety Code, by adding Subsection (a-1), to prohibit a person from transporting a patient by stretcher in a vehicle unless the person holds a license as an emergency medical services provider issued by the Department of State Health Services in accordance with this chapter. SB 1033 defines person as an individual, corporation, organization, government, governmental subdivision or agency, business, trust, partnership, association, or any other legal entity.

SB 1033 requires the executive commissioner of the Health and Human Services Commission to adopt the rules necessary to implement the changes in law made by this Act to Chapter 773, Health and Safety Code, not later than November 1, 2007.

EFFECTIVE DATE

September 1, 2007.