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H.B. No. 2827

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to rules regarding anaphylaxis treatment provided by  
3 emergency medical services personnel.

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

5 SECTION 1. Section 773.014, Health and Safety Code, is  
6 amended by amending Subsections (a), (b), and (c), and adding  
7 Subsection (c-1) to read as follows:

8 (a) An emergency medical services provider and a first  
9 responder organization may acquire and possess epinephrine  
10 auto-injector devices in accordance with this section. Emergency  
11 medical services personnel [~~certified as emergency medical~~  
12 ~~technicians or at a higher level of training~~] may carry and  
13 administer epinephrine auto-injector devices in accordance with  
14 this section.

15 (b) The department shall adopt rules designed to protect the  
16 public health and safety to implement this section. The rules must  
17 provide that emergency medical services personnel [~~certified as~~  
18 ~~emergency medical technicians or at a higher level of training~~] may  
19 administer an epinephrine auto-injector device to another only if  
20 the person has successfully completed a training course, approved  
21 by the department, in the use of the device that is consistent with  
22 the national standard training curriculum for emergency medical  
23 technicians.

24 (c) An emergency medical services provider or first

1 responder organization may acquire, possess, maintain, and dispose  
2 of epinephrine auto-injector devices, and emergency medical  
3 services personnel [~~certified as emergency medical technicians or~~  
4 ~~at a higher level of training~~] may carry, maintain, administer, and  
5 dispose of epinephrine auto-injector devices, only in accordance  
6 with:

7 (1) rules adopted by the department under this  
8 section; and

9 (2) a delegated practice agreement that provides for  
10 medical supervision by a licensed physician who either:

11 (A) acts as a medical director for an emergency  
12 medical services system or a licensed hospital; or

13 (B) has knowledge and experience in the delivery  
14 of emergency care.

15 (c-1) A licensed physician acting as a medical director for  
16 an emergency medical services system may restrict the use and  
17 administration of epinephrine auto-injector devices to certain  
18 emergency medical services personnel of the system through:

19 (1) the delegated practice agreement; or

20 (2) the adoption of policies governing the use of the  
21 devices by personnel within the system.

22 SECTION 2. Section 773.050, Health and Safety Code, is  
23 amended by adding Subsection (g) to read as follows:

24 (g) Rules adopting minimum standards under this section  
25 shall require:

26 (1) an emergency medical services vehicle to be  
27 equipped with an epinephrine auto-injector device or similar device

1 to treat anaphylaxis; and

2 (2) emergency medical services personnel to complete  
3 continuing education training in the administration of anaphylaxis  
4 treatment.

5 SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2007.