

BILL ANALYSIS

C.S.H.B. 4532
By: Chavez
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In many areas of Texas, especially in the rural areas, there are no ambulance services. If an individual calls 9-1-1 with an accident or serious medical emergency, an ambulance provider may not be available. Currently, the Department of State Health Services cannot provide accurate information on the availability and extent of services in certain areas. This lack of data also affects the funding of emergency medical services. When the availability and extent of emergency medical services are unknown, efforts by the legislature to provide funding and services for disasters, as well as to help areas fund necessary emergency services, are hampered. Information is critical to the support of a county's efforts to get funding and help provide services to constituents and visitors to the area and critical to efforts by a county to get state help during a disaster.

C.S.H.B. 4532 requires a county to gather the information on emergency medical services, which will then be shared through publication with the people who live in that particular county so people will know what services are available. The bill provides that the information is sent to the Department of State Health Services by each county and posted on each county's website so it is publicly available.

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 SECTIONS 1 and 2 of this bill.

ANALYSIS

C.S.H.B. 4532 amends the Health and Safety Code to require each county to assess the emergency ground ambulance services provided in that county from all sources that respond to 9-1-1 or other emergency calls and provide primary emergency response. The bill requires the executive commissioner of the Health and Human Services Commission, in consultation with the commissioner of state health services, to adopt rules governing this self-assessment not later than January 1, 2010.

C.S.H.B. 4532 requires that the rules, at minimum, require each county to address in its self-assessment the minimum training, licensing, or certification of ambulance personnel; the staffing of ambulances in the county; the types of vehicles used as ambulances in the county; the type of advanced life support or basic life support, as defined by provisions for emergency medical services, that ambulance personnel provide; the local deployment plan for ground ambulance services; and other information determined by the executive commissioner as necessary for inclusion in the county's self-assessment of emergency ground ambulance services.

C.S.H.B. 4532 authorizes a county or municipality to establish reporting standards for emergency ground ambulance services that are stricter than those adopted under provisions of the bill. The bill authorizes a county to adopt an order requiring all ambulance providers that respond to 9-1-1 or other emergency calls in the county and provide primary emergency

response to submit to the county information to enable the county to comply with provisions of the bill. The bill authorizes a county, emergency services district, or other entity to operate an emergency ground ambulance service that is operated in accordance with federal laws, the laws of this state, and other state and local rules.

C.S.H.B. 4532 requires each county to publish, not later than March 1 of each year, a report on the availability of emergency ground ambulance services within the county during the previous calendar year based on the county's self-assessment using factors adopted by the executive commissioner of the Health and Human Services Commission or by the county. The bill requires the county to provide the report to the Department of State Health Services, make the report available on the county's Internet website, and annually publish a summary of the report, together with the address of the website containing the report, in a newspaper of general circulation in the county. The bill requires the county, if it does not operate a website, to publish the report annually in a newspaper of general circulation in the county. The bill does not require a county to publish such a report before March 1, 2011.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4532 adds a provision not in the original clarifying that the sources of emergency services to be assessed are sources that respond to 9-1-1 or other emergency calls and provide primary emergency response.

C.S.H.B. 4532 adds a provision not in the original requiring rules to be adopted by the executive commissioner of the Health and Human Services Commission in consultation with the commissioner of state health services, rather than by only the executive commissioner of the Health and Human Services Commission alone.

C.S.H.B. 4532 adds a provision not in the original authorizing a county to adopt an order requiring primary emergency response providers to submit information to enable the county to perform its self-assessment.

C.S.H.B. 4532 adds a provision not in the original requiring a county to provide its annual report on emergency response services to the Department of State Health Services.