

BILL ANALYSIS

Senate Research Center

S.B. 2476
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Health & Human Services
4/20/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

North Texas has no government mechanism for effectively coordinating planning and implementation of trauma and burn care improvements over a multi-county area. This precludes drawing down certain federal funds. After growing more than 60 percent in the last two decades, North Texas now represents 27 percent of Texas' population. The availability of trauma and burn care has not kept pace with the rising need and added difficulties of transportation in the region. Many North Texans do not have ready access to Level I trauma and burn care. Moreover, North Texas is unprepared for and does not have the capacity to handle a major disaster or medically related homeland security event. There is no governmental mechanism for effectively coordinating planning and implementation of trauma and burn care improvements over a multi-county area. The American Recovery and Reinvestment Act of 2009 stimulus package and other funding sources now could provide resources for improving trauma and burn care, but North Texas needs a mechanism for the receipt and management of those resources.

As proposed, S.B. 2476 amends current law relating to the creation of the North Texas Trauma and Burn Authority in Trauma Service Area E.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the North Texas Trauma and Burn Authority in SECTION 1 (Section 291.201, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle D, Title 4, Health and Safety Code, by adding Chapter 291, as follows:

CHAPTER 291. NORTH TEXAS TRAUMA AND BURN AUTHORITY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 291.001. SHORT TITLE. Authorizes this chapter to be cited as the North Texas Trauma and Burn Authority Act.

Sec. 291.002. PURPOSES; LIBERAL CONSTRUCTION. (a) Provides that the purposes of this chapter are the development, implementation, management, and supervision of an integrated and cohesive system for improved Level I and Level II trauma and burn care in the 19 counties of northern Texas that comprise Trauma Service Area E; the creation of regional trauma and burn authorities to develop and implement plans to design, modify, and expand infrastructure to support trauma care facilities; the reduction of burdens and demands on the limited funds available for trauma care and to increase the effectiveness and efficiency of expenditures for trauma care; and to seek funding from the federal government under the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) and from other funding sources.

(b) Requires that this chapter be liberally construed to effect its purposes.

Sec. 291.003. DEFINITIONS. Defines "authority" and "board."

Sec. 291.004. CREATION OF AUTHORITY. Provides that the North Texas Trauma and Burn Authority (NTTBA) is created in Trauma Service Area E, as defined by 25 T.A.C. Section 157.122 (Trauma Service Areas), and includes Collin, Cooke, Dallas, Denton, Ellis, Erath, Fannin, Grayson, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise Counties.

Sec. 291.005. POLITICAL SUBDIVISION. Provides that NTTBA is a political subdivision of this state.

[Reserves Sections 291.006-291.100 for expansion.]

SUBCHAPTER B. AUTHORITY ADMINISTRATION

Sec. 291.101. BOARD; APPOINTMENT. (a) Provides that NTTBA is governed by a board of the authority (board) of nine members appointed as provided by this section.

(b) Requires the commissioners court of Dallas County to appoint three members.

(c) Requires the commissioners court of Tarrant County to appoint two members.

(d) Requires the commissioners courts of Cooke, Denton, and Wise Counties to collectively appoint one member.

(e) Requires the commissioners courts of Collin, Fannin, and Grayson Counties to collectively appoint one member.

(f) Requires the commissioners courts of Ellis, Hunt, Kaufman, and Rockwall Counties to collectively appoint one member.

(g) Requires the commissioners courts of Erath, Hood, Johnson, Palo Pinto, Parker, and Somervell Counties to collectively appoint one member.

(h) Requires board members that have been appointed to NTTBA, if the commissioners courts cannot agree on a member to appoint under Subsection (d), (e), (f), or (g), to select a representative from the group of counties whose commissioners courts could not agree on an appointment.

Sec. 291.102. TERM. (a) Provides that a board member serves a three-year term. Requires that terms be staggered so that one-third of the board members' terms expire each year.

(b) Requires the initial board members to draw lots to determine which members serve a one-year term, which members serve a two-year term, and which members serve a three-year term.

Sec. 291.103. QUALIFICATIONS OF BOARD MEMBERS. Requires a person, to be eligible to serve as a member of the board, to be a United States citizen, be 18 years of age or older on the first day of the term the person is appointed to fill, and be knowledgeable in the field of health care, transportation, or local government.

Sec. 291.104. VACANCY. (a) Requires the commissioners court or courts that originally appointed the position vacated, if a vacancy occurs on the board, to appoint a qualified person to fill the vacancy not later than the 30th day after the date the vacancy occurs.

(b) Authorizes the remaining members of the board, if the commissioners court or courts fail to appoint a member to the board to fill a vacancy by the 30th day after the date the vacancy occurs, by vote of the board, to appoint a replacement.

Sec. 291.105. OFFICERS. (a) Requires the board to elect from among its members a chair, a vice chair to preside in the chair's absence, and a secretary.

(b) Requires the chair, vice chair, and secretary to each serve in that office until the expiration of the person's term as a member of the board.

Sec. 291.106. COMPENSATION; EXPENSES. Provides that a member of the board serves without compensation but may, on the approval of the entire board, be reimbursed for actual expenses incurred in the performance of the member's official duties.

[Reserves Sections 291.107-291.200 for expansion.]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 291.201. POWERS AND DUTIES. (a) Requires NTTBA to be responsible for the development, implementation, management, and supervision of an integrated and cohesive system for improved Level I and Level II trauma and burn care in the counties of northern Texas that comprise Trauma Service Area E; develop and prepare to manage a plan to handle mass casualties resulting from any large-scale medical emergency including a pandemic outbreak, natural disaster, or homeland security event; seek funding from the federal government under the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) and from other funding sources; coordinate the allocation of resources for trauma and burn services across its multicounty service area; assist in the provision of transportation services needed for trauma victims and in the event of a large-scale disaster; manage funds received from all sources to support the efficient provision of trauma and burn services and direct those funds to the appropriate trauma facilities; assist in the recruitment and retention of trauma service providers; conduct or support research that improves the quality and effectiveness of Level I and Level II trauma and burn patient care in Trauma Service Area E by comparing the clinical outcomes, effectiveness, and appropriateness of procedures for the diagnosis and treatment of Level I and Level II trauma and burns; and create a regional electronic clinical data network and information exchange that will collect and share all clinical data regarding Level I and Level II trauma and burn patient care services provided in Trauma Service Area E and that will serve as the primary network and information exchange in the event of a pandemic outbreak, natural disaster, or medically related homeland security event.

(b) Authorizes NTTBA, acting through its board and without state approval, to adopt rules for the regulation of NTTBA's affairs; adopt an official seal; acquire, hold, and dispose of property in the exercise of NTTBA's powers and the performance of NTTBA's duties under this chapter; enter into contracts or agreements necessary or incidental to NTTBA's duties and powers under this chapter; and do all things necessary or appropriate to carry out the powers expressly granted by this chapter.

(c) Authorizes NTTBA to sue and be sued in NTTBA's own name.

Sec. 291.202. EXECUTIVE DIRECTOR; DUTIES. (a) Requires the board to appoint a person qualified by training and experience as the executive director for NTTBA.

(b) Provides that the executive director serves at the will of the board and for a term of not more than four years.

(c) Entitles the executive director to compensation as determined by the board.

SECTION 2. Effective date: upon passage or September 1, 2009.