

1-1 By: Deuell S.B. No. 2476
1-2 (In the Senate - Filed March 30, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 22, 2009, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 22, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of the North Texas Trauma and Burn
1-9 Authority in Trauma Service Area E.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subtitle D, Title 4, Health and Safety Code, is
1-12 amended by adding Chapter 291 to read as follows:

1-13 CHAPTER 291. NORTH TEXAS TRAUMA AND BURN AUTHORITY

1-14 SUBCHAPTER A. GENERAL PROVISIONS

1-15 Sec. 291.001. SHORT TITLE. This chapter may be cited as the
1-16 North Texas Trauma and Burn Authority Act.

1-17 Sec. 291.002. PURPOSES; LIBERAL CONSTRUCTION. (a) The
1-18 purposes of this chapter are:

1-19 (1) the development, implementation, management, and
1-20 supervision of an integrated and cohesive system for improved Level
1-21 I and Level II trauma and burn care in the 19 counties of northern
1-22 Texas that comprise Trauma Service Area E;

1-23 (2) the creation of regional trauma and burn
1-24 authorities to develop and implement plans to design, modify, and
1-25 expand infrastructure to support trauma care facilities;

1-26 (3) the reduction of burdens and demands on the
1-27 limited funds available for trauma care and to increase the
1-28 effectiveness and efficiency of expenditures for trauma care; and

1-29 (4) to seek funding from the federal government under
1-30 the American Recovery and Reinvestment Act of 2009 (Pub. L. No.
1-31 111-5) and from other funding sources.

1-32 (b) This chapter shall be liberally construed to effect its
1-33 purposes.

1-34 Sec. 291.003. DEFINITIONS. In this chapter:

1-35 (1) "Authority" means the North Texas Trauma and Burn
1-36 Authority (NTTBA).

1-37 (2) "Board" means the board of the authority.

1-38 Sec. 291.004. CREATION OF AUTHORITY. An authority is
1-39 created in Trauma Service Area E, as defined by 25 T.A.C. Section
1-40 157.122, and includes Collin, Cooke, Dallas, Denton, Ellis, Erath,
1-41 Fannin, Grayson, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto,
1-42 Parker, Rockwall, Somervell, Tarrant, and Wise Counties.

1-43 Sec. 291.005. POLITICAL SUBDIVISION. The authority is a
1-44 political subdivision of this state.

1-45 [Sections 291.006-291.100 reserved for expansion]

1-46 SUBCHAPTER B. AUTHORITY ADMINISTRATION

1-47 Sec. 291.101. BOARD; APPOINTMENT. (a) The authority is
1-48 governed by a board of nine members appointed as provided by this
1-49 section.

1-50 (b) The commissioners court of Dallas County shall appoint
1-51 three members.

1-52 (c) The commissioners court of Tarrant County shall appoint
1-53 two members.

1-54 (d) The commissioners courts of Cooke, Denton, and Wise
1-55 Counties shall collectively appoint one member.

1-56 (e) The commissioners courts of Collin, Fannin, and Grayson
1-57 Counties shall collectively appoint one member.

1-58 (f) The commissioners courts of Ellis, Hunt, Kaufman, and
1-59 Rockwall Counties shall collectively appoint one member.

1-60 (g) The commissioners courts of Erath, Hood, Johnson, Palo
1-61 Pinto, Parker, and Somervell Counties shall collectively appoint
1-62 one member.

1-63 (h) If the commissioners courts cannot agree on a member to
1-64 appoint under Subsection (d), (e), (f), or (g), board members that

2-1 have been appointed to the authority shall select a representative
 2-2 from the group of counties whose commissioners courts could not
 2-3 agree on an appointment.

2-4 Sec. 291.102. TERM. (a) A board member serves a
 2-5 three-year term. Terms shall be staggered so that one-third of the
 2-6 board members' terms expire each year.

2-7 (b) The initial board members shall draw lots to determine
 2-8 which members serve a one-year term, which members serve a two-year
 2-9 term, and which members serve a three-year term.

2-10 Sec. 291.103. QUALIFICATIONS OF BOARD MEMBERS. To be
 2-11 eligible to serve as a member of the board, a person must:

2-12 (1) be a United States citizen;

2-13 (2) be 18 years of age or older on the first day of the
 2-14 term the person is appointed to fill; and

2-15 (3) be knowledgeable in the field of health care,
 2-16 transportation, or local government.

2-17 Sec. 291.104. VACANCY. (a) If a vacancy occurs on the
 2-18 board, the commissioners court or courts that originally appointed
 2-19 the position vacated shall appoint a qualified person to fill the
 2-20 vacancy not later than the 30th day after the date the vacancy
 2-21 occurs.

2-22 (b) If the commissioners court or courts fail to appoint a
 2-23 member to the board to fill a vacancy by the 30th day after the date
 2-24 the vacancy occurs, the remaining members of the board may, by vote
 2-25 of the board, appoint a replacement.

2-26 Sec. 291.105. OFFICERS. (a) The board shall elect from
 2-27 among its members:

2-28 (1) a chair;

2-29 (2) a vice chair to preside in the chair's absence; and

2-30 (3) a secretary.

2-31 (b) The chair, vice chair, and secretary shall each serve in
 2-32 that office until the expiration of the person's term as a member of
 2-33 the board.

2-34 Sec. 291.106. COMPENSATION; EXPENSES. A member of the
 2-35 board serves without compensation but may, on the approval of the
 2-36 entire board, be reimbursed for actual expenses incurred in the
 2-37 performance of the member's official duties.

2-38 [Sections 291.107-291.200 reserved for expansion]

2-39 SUBCHAPTER C. POWERS AND DUTIES

2-40 Sec. 291.201. POWERS AND DUTIES. (a) The authority shall:

2-41 (1) be responsible for the development,
 2-42 implementation, management, and supervision of an integrated and
 2-43 cohesive system for improved Level I and Level II trauma and burn
 2-44 care in the counties of northern Texas that comprise Trauma Service
 2-45 Area E;

2-46 (2) develop and prepare to manage a plan to handle mass
 2-47 casualties resulting from any large-scale medical emergency
 2-48 including a pandemic outbreak, natural disaster, or homeland
 2-49 security event;

2-50 (3) seek funding from the federal government under the
 2-51 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
 2-52 and from other funding sources;

2-53 (4) coordinate the allocation of resources for trauma
 2-54 and burn services across its multicounty service area;

2-55 (5) assist in the provision of transportation services
 2-56 needed for trauma victims and in the event of a large-scale
 2-57 disaster;

2-58 (6) manage funds received from all sources to support
 2-59 the efficient provision of trauma and burn services and direct
 2-60 those funds to the appropriate trauma facilities;

2-61 (7) assist in the recruitment and retention of trauma
 2-62 service providers;

2-63 (8) conduct or support research that improves the
 2-64 quality and effectiveness of Level I and Level II trauma and burn
 2-65 patient care in Trauma Service Area E by comparing the clinical
 2-66 outcomes, effectiveness, and appropriateness of procedures for the
 2-67 diagnosis and treatment of Level I and Level II trauma and burns;
 2-68 and

2-69 (9) create a regional electronic clinical data network

3-1 and information exchange that will collect and share all clinical
3-2 data regarding Level I and Level II trauma and burn patient care
3-3 services provided in Trauma Service Area E and that will serve as
3-4 the primary network and information exchange in the event of a
3-5 pandemic outbreak, natural disaster, or medically related homeland
3-6 security event.

3-7 (b) The authority, acting through its board and without
3-8 state approval, may:

3-9 (1) adopt rules for the regulation of the authority's
3-10 affairs;

3-11 (2) adopt an official seal;

3-12 (3) acquire, hold, and dispose of property in the
3-13 exercise of the authority's powers and the performance of the
3-14 authority's duties under this chapter;

3-15 (4) enter into contracts or agreements necessary or
3-16 incidental to the authority's duties and powers under this chapter;
3-17 and

3-18 (5) do all things necessary or appropriate to carry
3-19 out the powers expressly granted by this chapter.

3-20 (c) The authority may sue and be sued in the authority's own
3-21 name.

3-22 Sec. 291.202. EXECUTIVE DIRECTOR; DUTIES. (a) The board
3-23 shall appoint a person qualified by training and experience as the
3-24 executive director for the authority.

3-25 (b) The executive director serves at the will of the board
3-26 and for a term of not more than four years.

3-27 (c) The executive director is entitled to compensation as
3-28 determined by the board.

3-29 SECTION 2. This Act takes effect immediately if it receives
3-30 a vote of two-thirds of all the members elected to each house, as
3-31 provided by Section 39, Article III, Texas Constitution. If this
3-32 Act does not receive the vote necessary for immediate effect, this
3-33 Act takes effect September 1, 2009.

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