

By: McClendon

H.B. No. 577

A BILL TO BE ENTITLED

1 AN ACT
2 relating to emergency prehospital care provided by emergency
3 services personnel.

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

5 SECTION 1. Section 166.102(b), Health and Safety Code, is
6 amended to read as follows:

7 (b) When responding to a call for assistance, emergency
8 medical services personnel:

9 (1) shall honor only a properly executed or issued
10 out-of-hospital DNR order or prescribed DNR identification device
11 in accordance with this subchapter; and

12 (2) have no duty to review, examine, interpret, or
13 honor a person's other written directive, including a written
14 directive in the form prescribed by Section 166.033.

15 SECTION 2. Subchapter A, Chapter 773, Health and Safety
16 Code, is amended by adding Section 773.016 to read as follows:

17 Sec. 773.016. DUTIES OF EMERGENCY MEDICAL SERVICES
18 PERSONNEL; CERTAIN EMERGENCY PREHOSPITAL CARE SITUATIONS. (a) In
19 this section, "cardiopulmonary resuscitation" has the meaning
20 assigned by Section 166.002.

21 (b) Emergency medical services personnel who are providing
22 emergency prehospital care to a person are subject to Chapter 166,
23 including Section 166.102.

24 (c) If a person's personal physician is present and assumes

1 responsibility for the care of the person under the applicable
2 requirements of Chapter 197, Title 22, Texas Administrative Code,
3 while the person is receiving emergency prehospital care, the
4 physician may order the termination of cardiopulmonary
5 resuscitation only if, based on the physician's professional
6 medical judgment, the physician determines that resuscitation
7 should be discontinued.

8 (d) If a person's personal physician is not present or does
9 not assume responsibility for the care of the person while the
10 person is receiving emergency prehospital care, the emergency
11 medical services system's medical director or online physician:

12 (1) shall be responsible for directing the emergency
13 medical services personnel who are providing emergency prehospital
14 care to the person; and

15 (2) may order the termination of cardiopulmonary
16 resuscitation only if, based on the medical director's or online
17 physician's professional medical judgment, the medical director or
18 online physician determines that resuscitation should be
19 discontinued.

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2011.