

1-1 By: Deuell S.B. No. 1206
1-2 (In the Senate - Filed March 7, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 21, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 21, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1206 By: Deuell

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to medical care and public health services provided by a
1-11 health care professional in a licensed freestanding emergency
1-12 medical care facility.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter A, Chapter 254, Health and Safety
1-15 Code, as added by Chapter 1273 (H.B. 1357), Acts of the 81st
1-16 Legislature, Regular Session, 2009, is amended by adding Section
1-17 254.002 to read as follows:

1-18 Sec. 254.002. APPLICABILITY OF CHAPTER; LIMITATION ON
1-19 RULEMAKING AUTHORITY. (a) This chapter may not be construed as
1-20 prohibiting a licensed health care professional from providing in a
1-21 freestanding emergency medical care facility licensed under this
1-22 chapter medical care provided at the time emergency care is
1-23 provided, or public health services, that are within the scope of
1-24 the health care professional's license and that are not required to
1-25 be provided in another facility under other law.

1-26 (b) In adopting rules under Section 254.151(a), the
1-27 executive commissioner may not adopt a rule that conflicts with
1-28 Subsection (a).

1-29 SECTION 2. This Act takes effect immediately if it receives
1-30 a vote of two-thirds of all the members elected to each house, as
1-31 provided by Section 39, Article III, Texas Constitution. If this
1-32 Act does not receive the vote necessary for immediate effect, this
1-33 Act takes effect September 1, 2011.

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