

By: Raymond

H.B. No. 975

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for obtaining an emergency medical services provider license.

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

SECTION 1. Section 773.0571, Health and Safety Code, is amended to read as follows:

Sec. 773.0571. REQUIREMENTS FOR PROVIDER LICENSE. The department shall issue to an emergency medical services provider applicant a license that is valid for two years if the department is satisfied that:

(1) the applicant [~~emergency medical services provider~~] has adequate staff to meet the staffing standards prescribed by this chapter and the rules adopted under this chapter;

(2) each emergency medical services vehicle is adequately constructed, equipped, maintained, and operated to render basic or advanced life support services safely and efficiently;

(3) the applicant [~~emergency medical services provider~~] offers safe and efficient services for emergency prehospital care and transportation of patients; ~~and~~

(4) the applicant:

(A) possesses sufficient professional experience and qualifications to provide emergency medical services; and

1 (B) has not been excluded from participation in
2 the state Medicaid program;

3 (5) the applicant holds a certificate of local need
4 and necessity issued under Section 773.0573 by the commissioners
5 court of each county and the governing body of each municipality in
6 which the applicant is applying to provide emergency medical
7 services; and

8 (6) [(4)] the applicant [emergency medical services
9 provider] complies with the rules adopted [by the board] under this
10 chapter.

11 SECTION 2. Subchapter C, Chapter 773, Health and Safety
12 Code, is amended by adding Section 773.0573 to read as follows:

13 Sec. 773.0573. CERTIFICATE OF LOCAL NEED AND NECESSITY.

14 (a) An emergency medical services provider applicant must obtain a
15 certificate of local need and necessity from the commissioners
16 court of each county and the governing body of each municipality in
17 which the applicant is applying to provide emergency medical
18 services.

19 (b) A commissioners court of a county or a governing body of
20 a municipality may issue a certificate of local need and necessity
21 to an emergency medical services provider applicant who is applying
22 to provide emergency medical services in the county or municipality
23 only if the commissioners court or governing body determines that:

24 (1) the addition of another licensed emergency medical
25 services provider will not interfere with or adversely affect the
26 provision of emergency medical services by the licensed emergency
27 medical services providers operating in the county or municipality;

1 (2) the addition of another licensed emergency medical
2 services provider will remedy an existing provider shortage that
3 cannot be resolved through the use of the licensed emergency
4 medical services providers operating in the county or municipality;
5 and

6 (3) the addition of another licensed emergency medical
7 services provider will not cause an oversupply of licensed
8 emergency medical services providers in the county or municipality.

9 (c) This section does not apply to:

10 (1) renewal of an emergency medical services provider
11 license; or

12 (2) a county, municipality, emergency medical
13 services district, hospital, or emergency medical services
14 volunteer provider organization in this state that applies for an
15 emergency medical services provider license.

16 SECTION 3. The change in law made by this Act applies only
17 to an application for approval of an emergency medical services
18 provider license submitted to the Department of State Health
19 Services on or after the effective date of this Act. An application
20 submitted before the effective date of this Act is governed by the
21 law in effect immediately before the effective date of this Act, and
22 that law is continued in effect for that purpose.

23 SECTION 4. This Act takes effect September 1, 2013.