

By: Kolkhorst

H.B. No. 3556

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of emergency medical services providers.

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

SECTION 1. Subchapter C, Chapter 773, Health and Safety Code, is amended by adding Section 773.05711 to read as follows:

Sec. 773.05711. NONEMERGENCY AMBULANCE TRANSPORTATION PROVIDER. (a) In addition to the requirements for obtaining or renewing an emergency medical services provider license under this subchapter, a person who applies for a license or for a renewal of a license to provide only nonemergency ambulance transportation services must:

(1) provide the department with a letter of credit issued by a federally insured bank or savings institution in the amount of \$100,000 and a surety bond in the amount of \$50,000; and

(2) submit for approval by the department the name and contact information of the provider's administrator of record.

(b) The administrator of record:

(1) may not be employed or otherwise compensated by another private for-profit emergency medical services provider;

(2) must meet the qualifications required for an emergency medical technician or other health care professional license or certification issued by this state; and

(3) must submit to a criminal history record check at

1 the applicant's expense.

2 (c) Section 773.0415 does not apply to information an
3 administrator of record is required to provide under this section.

4 (d) An administrator of record approved by the department
5 under Subsection (a) must complete at least eight hours of
6 continuing education every two years following initial approval.
7 The executive commissioner shall recognize, prepare, or administer
8 continuing education programs for administrators of record, which
9 must include information about changes in law and department rules
10 that affect emergency medical services providers.

11 (e) An emergency medical services provider that is directly
12 operated by a governmental entity is exempt from the this section.

13 SECTION 2. Subchapter C, Chapter 773, Health and Safety
14 Code, is amended by adding Section 773.06141 to read as follows:

15 Sec. 773.06141. SUSPENSION, REVOCATION, OR DENIAL OF
16 EMERGENCY MEDICAL SERVICES PROVIDER LICENSE. The commissioner may
17 suspend, revoke, or deny an emergency medical services provider
18 license on the grounds that the provider's administrator of record,
19 employee, or other representative:

20 (1) has been convicted of, or placed on deferred
21 adjudication community supervision or deferred disposition for, an
22 offense that directly relates to the duties and responsibilities of
23 the administrator, employee, or representative, other than an
24 offense for which points are assigned under Section 708.052,
25 Transportation Code;

26 (2) has been convicted of or placed on deferred
27 adjudication community supervision or deferred disposition for an

1 offense, including:

2 (A) an offense listed in Sections 3g(a)(1)(A)
3 through (H), Article 42.12, Code of Criminal Procedure; or

4 (B) an offense, other than an offense described
5 by Subdivision (1), for which the person is subject to registration
6 under Chapter 62, Code of Criminal Procedure; or

7 (3) has been convicted of Medicare or Medicaid fraud,
8 has been excluded from participation in the state Medicaid program,
9 or has a hold on payment for reimbursement under the state Medicaid
10 program under Subchapter C, Chapter 531, Government Code.

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

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