

By: Schwertner

S.B. No. 830

A BILL TO BE ENTITLED

AN ACT

relating to use of telemedicine in certain trauma facilities.

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

SECTION 1. Subchapter E, Chapter 773, Health and Safety Code, is amended by adding Section 773.1151 to read as follows:

Sec. 773.1151. USE OF TELEMEDICINE BY CERTAIN TRAUMA FACILITIES. (a) In this section, "telemedicine medical service" means a health care service that is initiated by a physician to provide patient assessment, diagnosis, consultation, or treatment or to transfer medical data and that requires the use of advanced telecommunications technology, other than telephone or facsimile technology, including:

(1) compressed digital interactive video, audio, or data transmission;

(2) clinical data transmission using computer imaging by way of still-image capture and store and forward; and

(3) other technology that facilitates access to health care services or medical specialty expertise.

(b) A health care facility designated as a level IV trauma facility and located in a county with a population of less than 50,000 may provide medical care to patients through the use of telemedicine medical services provided by an on-call physician who has special competence in the care of critically injured patients.

(c) Department rules may not, as part of the requirements

1 for designation of the facility as a level IV trauma facility,  
2 require the physical presence or physical availability of a  
3 physician described by Subsection (b) and may not prohibit the use  
4 of telemedicine medical services that meet the requirements of  
5 Subsection (b).

6 SECTION 2. The executive commissioner of the Health and  
7 Human Services Commission shall adopt rules to implement Section  
8 773.1151, Health and Safety Code, as added by this Act, not later  
9 than December 1, 2013.

10 SECTION 3. Notwithstanding Section 773.1151, Health and  
11 Safety Code, as added by this Act, a level IV trauma facility  
12 located in a county with a population of less than 50,000 may only  
13 use telemedicine medical services for the purposes authorized by  
14 that section on or after January 1, 2014.

15 SECTION 4. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2013.