

By: Darby

H.B. No. 2004

A BILL TO BE ENTITLED

AN ACT

relating to a pilot project to provide emergency telemedicine medical services in rural areas.

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

SECTION 1. Chapter 771, Health and Safety Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. NEXT GENERATION 9-1-1 TELEMEDICINE MEDICAL SERVICES

PILOT PROJECT

Sec. 771.151. DEFINITIONS. In this subchapter:

(1) "Center" means the area health education center at the Texas Tech University Health Sciences Center that meets the requirements of 42 U.S.C. Section 294a and has received federal funding as an area health education center.

(2) "Emergency medical services" means services used to respond to an individual's perceived need for immediate medical care and to prevent death or aggravation of physiological or psychological illness or injury.

(3) "Emergency medical services provider" means a person who uses or maintains emergency medical services vehicles, medical equipment, and emergency medical services personnel to provide emergency medical services.

(4) "Emergency prehospital care" means care provided to a sick or injured individual before or during transportation to a medical facility, including any necessary stabilization of the

1 individual in connection with that transportation.

2 (5) "Regional trauma resource center" means a trauma  
3 facility that the center selects to participate in the project.

4 (6) "Rural area" means:

5 (A) a county with a population of 50,000 or less;  
6 or

7 (B) a large, isolated, and sparsely populated  
8 area of a county with a population of more than 50,000.

9 (7) "Telemedicine medical service" means a health care  
10 service that is initiated by a physician or provided by a health  
11 professional acting under physician delegation and supervision,  
12 that is provided for purposes of patient assessment by a health  
13 professional, diagnosis or consultation by a physician, or  
14 treatment, or for the transfer of medical data, and that requires  
15 the use of advanced telecommunications technology, other than  
16 telephone or facsimile technology, including:

17 (A) compressed digital interactive video, audio,  
18 or data transmission;

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

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

23 (8) "Trauma facility" means a health care facility  
24 that is capable of providing comprehensive treatment of seriously  
25 injured individuals and is a part of an emergency medical services  
26 and trauma care system.

27 Sec. 771.152. ESTABLISHMENT OF PILOT PROJECT. (a) The

1 commission, with the assistance of the center, shall establish a  
2 pilot project to provide emergency medical services instruction and  
3 emergency prehospital care instruction through a telemedicine  
4 medical service provided by regional trauma resource centers to:

5 (1) health care providers in rural area trauma  
6 facilities; and

7 (2) emergency medical services providers in rural  
8 areas.

9 (b) The commission shall provide technical assistance to  
10 the center in implementing the pilot project.

11 (c) The center, with the assistance of the commission,  
12 shall:

13 (1) design criteria and protocols for the telemedicine  
14 medical service and related instruction and provide the oversight  
15 necessary to conduct the pilot project;

16 (2) define criteria to determine when telemedicine  
17 medical services that provide instructions for emergency medical  
18 services, emergency prehospital care, and trauma care should be  
19 transferred to an emergency medical resource center for  
20 intervention; and

21 (3) collect the data necessary to evaluate the  
22 project.

23 (d) The center may make available appropriate resources for  
24 individuals who do not speak English.

25 Sec. 771.153. STAFF. The center shall provide the  
26 telemedicine medical service and related instruction for the pilot  
27 project through health care providers in regional trauma resource

1 centers, including physicians, pharmacists, emergency medical  
2 personnel, and other health professionals acting under physician  
3 delegation and supervision.

4 Sec. 771.154. PARTICIPATION IN PILOT PROJECT. (a) The  
5 center shall determine the trauma facilities and emergency medical  
6 services providers that are interested in participating in the  
7 pilot project.

8 (b) A trauma facility or emergency medical services  
9 provider participating in the pilot project must agree to  
10 successfully complete any required training and to provide all  
11 reports required by the center for the project.

12 Sec. 771.155. SELECTION OF PROJECT PARTICIPANTS AND  
13 REGIONAL TRAUMA RESOURCE CENTERS. (a) The center, with the  
14 assistance of the commission, may select trauma facilities and  
15 emergency medical services providers to participate in the pilot  
16 project and select trauma facilities to serve as regional trauma  
17 resource centers.

18 (b) A trauma facility may not be selected to participate in  
19 the project or to serve as a regional trauma resource center unless  
20 the facility:

21 (1) has a quality assurance program that measures each  
22 health care provider's compliance with the medical protocol;

23 (2) uses emergency medical services and emergency  
24 prehospital care protocols approved by a physician medical director  
25 knowledgeable in emergency medical services and emergency  
26 prehospital care;

27 (3) has experience in providing emergency medical

1 services and emergency prehospital care that the center determines  
2 is sufficient; and

3 (4) has resources sufficient to provide the additional  
4 telemedicine medical services and related instruction required for  
5 the pilot project in addition to the health care services already  
6 provided by the facility.

7 (c) In selecting a trauma facility to serve as a regional  
8 trauma resource center, the center shall consider the facility  
9 personnel's ability to maintain records and produce reports to  
10 measure the effectiveness of the pilot project. The center shall  
11 share information regarding that ability with the commission.

12 Sec. 771.156. FUNDING OF PILOT PROJECT. (a) Money  
13 collected under Section 771.072(f) may be appropriated to the  
14 commission to fund the pilot project.

15 (b) The center may seek grants to fund the pilot project.

16 (c) A political subdivision with a trauma facility that  
17 participates in the pilot project may pay part of the costs of the  
18 pilot project.

19 (d) If a sufficient number of political subdivisions in a  
20 region that may be served by the pilot project agree to pay the  
21 center an amount that together with other funding received under  
22 this section is sufficient to fund the pilot project for the region,  
23 the center shall:

24 (1) contract with the political subdivisions for each  
25 to pay an appropriate share of the cost; and

26 (2) implement the project for the region when the  
27 amounts agreed to in the contracts and any other funding received

1 under this section are sufficient to fund the project for the  
2 region.

3 Sec. 771.157. REPORT TO LEGISLATURE. The center, in  
4 cooperation with the commission, shall report its findings to the  
5 governor and the presiding officer of each house of the  
6 legislature, not later than December 31, 2020.

7 Sec. 771.158. LIABILITY. The operations of the center and a  
8 regional trauma resource center are considered to be the provision  
9 of 9-1-1 services for purposes of Section 771.053. Employees of and  
10 volunteers at the regional trauma resource center have the same  
11 protection from liability as a member of the governing body of a  
12 public agency under Section 771.053.

13 Sec. 771.159. WORK GROUP. (a) The center may appoint a  
14 project work group to assist the center in developing,  
15 implementing, and evaluating the project and preparing a report on  
16 the center's findings.

17 (b) A member of the work group is not entitled to  
18 compensation for serving on the project work group and may not be  
19 reimbursed for travel or other expenses incurred while conducting  
20 the business of the project work group.

21 (c) The project work group is not subject to Chapter 2110,  
22 Government Code.

23 Sec. 771.160. EXPIRATION. This subchapter expires January  
24 1, 2021.

25 SECTION 2. This Act takes effect September 1, 2015.