

By: Darby

H.B. No. 2008

A BILL TO BE ENTITLED

AN ACT

relating to the funding of certain emergency medical services,
trauma facilities, and trauma care systems.

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

SECTION 1. The heading to Section 773.122, Health and
Safety Code, is amended to read as follows:

Sec. 773.122. PAYMENTS FROM ACCOUNT [~~THE ACCOUNTS~~].

SECTION 2. Sections 773.122(a), (b), (c), (d), (e), (f),
and (g), Health and Safety Code, are amended to read as follows:

(a) The commissioner, with advice and counsel from the
chairpersons of the trauma service area regional advisory councils,
shall use money in the account [~~accounts~~] established under Section
[~~Sections 771.072(f) and~~] 773.006 to fund county and regional
emergency medical services, designated trauma facilities, and
trauma care systems in accordance with this section.

(b) The commissioner shall maintain a reserve of \$500,000 of
money appropriated from the account [~~accounts~~] for extraordinary
emergencies.

(c) In any fiscal year the commissioner shall use 50 percent
of the appropriated money remaining from the account [~~accounts~~],
after any amount necessary to maintain the reserve established by
Subsection (b) is deducted, to fund, in connection with an effort to
provide coordination with the appropriate trauma service area, the
cost of supplies, operational expenses, education and training,

1 equipment, vehicles, and communications systems for local
2 emergency medical services. The money shall be distributed on
3 behalf of eligible recipients in each county to the trauma service
4 area regional advisory council for that county. To receive a
5 distribution under this subsection, the regional advisory council
6 must be incorporated as an entity that is exempt from federal income
7 tax under Section 501(a), Internal Revenue Code of 1986, and its
8 subsequent amendments, by being listed as an exempt organization
9 under Section 501(c)(3) of the code. The share of the money
10 allocated to the eligible recipients in a county's geographic area
11 shall be based on the relative geographic size and population of the
12 county and on the relative number of emergency or trauma care runs
13 performed by eligible recipients in the county. Money that is not
14 disbursed by a regional advisory council to eligible recipients for
15 approved functions by the end of the fiscal year in which the funds
16 were disbursed may be retained by the regional advisory council to
17 be used during the following fiscal year in accordance with this
18 subsection. Money that is not disbursed by the regional advisory
19 council during the following fiscal year shall be returned to the
20 account.

21 (d) In any fiscal year, the commissioner may use not more
22 than 20 percent of the appropriated money remaining from the
23 account [~~accounts~~], after any amount necessary to maintain the
24 reserve established by Subsection (b) is deducted, for operation of
25 the 22 trauma service areas and for equipment, communications, and
26 education and training for the areas. Money distributed under this
27 subsection shall be distributed on behalf of eligible recipients in

1 each county to the trauma service area regional advisory council
2 for that county. To receive a distribution under this subsection,
3 the regional advisory council must be incorporated as an entity
4 that is exempt from federal income tax under Section 501(a),
5 Internal Revenue Code of 1986, and its subsequent amendments, by
6 being listed as an exempt organization under Section 501(c)(3) of
7 the code. A regional advisory council's share of money distributed
8 under this section shall be based on the relative geographic size
9 and population of each trauma service area and on the relative
10 amount of trauma care provided. Money that is not disbursed by a
11 regional advisory council to eligible recipients for approved
12 functions by the end of the fiscal year in which the funds were
13 disbursed may be retained by the regional advisory council to be
14 used during the following fiscal year in accordance with this
15 subsection. Money that is not disbursed by the regional advisory
16 council during the following fiscal year shall be returned to the
17 account.

18 (e) In any fiscal year, the commissioner may use not more
19 than three percent of the appropriated money from the account
20 [~~accounts~~] after any amount necessary to maintain the reserve
21 established by Subsection (b) is deducted to fund the
22 administrative costs of the bureau of emergency management of the
23 department associated with administering the state emergency
24 medical services program, the trauma program, and the account
25 [~~accounts~~] and to fund the costs of monitoring and providing
26 technical assistance for those programs and the account [~~accounts~~].

27 (f) In any fiscal year, the commissioner shall use at least

1 27 percent of the appropriated money remaining from the account
2 [~~accounts~~] after any amount necessary to maintain the reserve
3 established by Subsection (b) is deducted and the money from the
4 account [~~accounts~~] not otherwise distributed under this section to
5 fund a portion of the uncompensated trauma care provided at
6 facilities designated as state trauma facilities by the department.
7 The administrator of a designated facility may request a regional
8 advisory council chairperson to petition the department for
9 disbursement of funds to a designated trauma facility in the
10 chairperson's trauma service area that has provided uncompensated
11 trauma care. Funds may be disbursed under this subsection based on
12 a proportionate share of uncompensated trauma care provided in the
13 state and may be used to fund innovative projects to enhance the
14 delivery of patient care in the overall emergency medical services
15 and trauma care system.

16 (g) The department shall review the percentages for
17 disbursement of funds in the account [~~accounts~~] on an annual basis
18 and shall make recommendations for proposed changes to ensure that
19 appropriate and fair funding is provided under this section.

20 SECTION 3. Section 773.123, Health and Safety Code, is
21 amended to read as follows:

22 Sec. 773.123. CONTROL OF EXPENDITURES FROM ACCOUNT
23 [~~ACCOUNTS~~]. Money distributed from the account [~~accounts~~]
24 established under Section [~~Sections 771.072(f) and~~] 773.006 shall
25 be used in accordance with Section 773.122 on the authorization of
26 the executive committee of the trauma service area regional
27 advisory council.

1 SECTION 4. Section [771.072\(g\)](#), Health and Safety Code, is
2 repealed.

3 SECTION 5. This Act takes effect September 1, 2015.