

By: Zerwas, Price, Darby, Kacal, Longoria

H.B. No. 3077

A BILL TO BE ENTITLED

AN ACT

relating to funding for trauma facilities, emergency medical services, and emergency medical air transportation.

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

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

SUBCHAPTER I. EMERGENCY MEDICAL AIR TRANSPORTATION FUNDING

Sec. 773.221. DEFINITIONS. In this subchapter:

(1) "Account" means the emergency medical air transportation account created under Section 773.222.

(2) "Commission" means the Health and Human Services Commission.

(3) "Commissioner" means the commissioner of state health services.

Sec. 773.222. EMERGENCY MEDICAL AIR TRANSPORTATION ACCOUNT. (a) The emergency medical air transportation account is established as a dedicated account in the general revenue fund. The account is composed of:

(1) money deposited to the credit of the account under Section 542.4031, Transportation Code; and

(2) notwithstanding Section 404.071, Government Code, interest earned on the investment of money in the account and depository interest allocable to the account.

(b) Money in the account may be appropriated only to the

1 department for the purposes described by Subsection (c).

2 (c) The commissioner may:

3 (1) use the money appropriated from the account to  
4 provide funding, in addition to funding available from other  
5 sources, for emergency medical air transportation; and

6 (2) after consulting with the executive commissioner,  
7 transfer the money appropriated from the account to the commission  
8 to:

9 (A) provide reimbursements under the medical  
10 assistance program under Chapter 32, Human Resources Code, to  
11 providers of emergency medical air transportation services,  
12 including reimbursement enhancements to the statewide dollar  
13 amount rate used to reimburse designated air ambulance services  
14 under the program; and

15 (B) maximize the receipt of federal funds under  
16 the medical assistance program under Chapter 32, Human Resources  
17 Code, to the extent possible.

18 SECTION 2. The heading to Section 780.002, Health and  
19 Safety Code, is amended to read as follows:

20 Sec. 780.002. CERTAIN DEPOSITS TO ACCOUNT.

21 SECTION 3. Section 780.003(b), Health and Safety Code, is  
22 amended to read as follows:

23 (b) The account is composed of money deposited to the credit  
24 of the account under Sections 542.4031, 542.406, and 707.008,  
25 Transportation Code, and under Section 780.002 of this code~~[, and~~  
26 ~~the earnings of the account]~~.

27 SECTION 4. Section 542.4031(g), Transportation Code, is

1 amended to read as follows:

2 (g) Of the money received by the comptroller under this  
3 section, the comptroller shall deposit:

4 (1) 50 [~~67~~] percent to the credit of the undedicated  
5 portion of the general revenue fund; [~~and~~]

6 (2) 33 percent to the credit of the designated trauma  
7 facility and emergency medical services account under Section  
8 780.003, Health and Safety Code; and

9 (3) 17 percent to the credit of the designated  
10 emergency medical air transportation account under Section  
11 773.222, Health and Safety Code.

12 SECTION 5. Section 542.406(c), Transportation Code, is  
13 amended to read as follows:

14 (c) Not later than the 60th day after the end of a local  
15 authority's fiscal year, after deducting amounts the local  
16 authority is authorized by Subsection (d) to retain, the local  
17 authority shall:

18 (1) send 50 percent of the revenue derived from civil  
19 or administrative penalties collected by the local authority under  
20 this section to the comptroller for deposit to the credit of the  
21 designated [~~regional~~] trauma facility and emergency medical  
22 services account established under Section 780.003 [~~782.002~~],  
23 Health and Safety Code; and

24 (2) deposit the remainder of the revenue in a special  
25 account in the local authority's treasury that may be used only to  
26 fund traffic safety programs, including pedestrian safety  
27 programs, public safety programs, intersection improvements, and

1 traffic enforcement.

2 SECTION 6. Section 707.008(a), Transportation Code, is  
3 amended to read as follows:

4 (a) Not later than the 60th day after the end of a local  
5 authority's fiscal year, after deducting amounts the local  
6 authority is authorized by Subsection (b) to retain, the local  
7 authority shall:

8 (1) send 50 percent of the revenue derived from civil  
9 or administrative penalties collected by the local authority under  
10 this section to the comptroller for deposit to the credit of the  
11 designated [~~regional~~] trauma facility and emergency medical  
12 services account established under Section 780.003 [~~782.002~~],  
13 Health and Safety Code; and

14 (2) deposit the remainder of the revenue in a special  
15 account in the local authority's treasury that may be used only to  
16 fund traffic safety programs, including pedestrian safety  
17 programs, public safety programs, intersection improvements, and  
18 traffic enforcement.

19 SECTION 7. The following laws are repealed:

20 (1) Section 780.003(c), Health and Safety Code; and

21 (2) Chapter 782, Health and Safety Code, as amended by  
22 S.B. No. 219, Acts of the 84th Legislature, Regular Session, 2015.

23 SECTION 8. On the effective date of this Act:

24 (1) the regional trauma account established under  
25 Chapter 782, Health and Safety Code, is abolished; and

26 (2) any unexpended and unobligated balance of money in  
27 the regional trauma account is transferred to the designated trauma

1 facility and emergency medical services account established under  
2 Section 780.003, Health and Safety Code.

3 SECTION 9. Section 542.4031(g), Transportation Code, as  
4 amended by this Act, applies only to the distribution of revenue  
5 collected on or after the effective date of this Act. The  
6 distribution of revenue collected before the effective date of this  
7 Act is governed by the law in effect at the time the revenue was  
8 collected, and that law is continued in effect for the purpose of  
9 the distribution of that revenue.

10 SECTION 10. This Act takes effect September 1, 2015.