

By: Metcalf

H.B. No. 1816

Substitute the following for H.B. No. 1816:

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C.S.H.B. No. 1816

A BILL TO BE ENTITLED

AN ACT

relating to the operation of medical supply transport vehicles during a declared state of disaster.

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

SECTION 1. Chapter 546, Transportation Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. OPERATION OF MEDICAL SUPPLY TRANSPORT VEHICLES

Sec. 546.051. DEFINITIONS. In this subchapter:

(1) "Emergency care facility" means a health care facility, including a freestanding emergency medical care facility, hospital, temporary emergency clinic, and trauma facility, that provides emergency medical care.

(2) "Freestanding emergency medical care facility" means a facility licensed under Chapter 254, Health and Safety Code.

(3) "Medical supply distributor" means a person authorized to transport prescription drugs and other medical supplies to emergency care facilities or pharmacies.

(4) "Nursing home" means a facility licensed under Chapter 242, Health and Safety Code.

(5) "Pharmacy" has the meaning assigned by Section 551.003, Occupations Code.

(6) "Trauma facility" has the meaning assigned by Section 773.003, Health and Safety Code.

1 Sec. 546.052. MEDICAL SUPPLY TRANSPORT VEHICLES DURING
2 DECLARED DISASTER. (a) A vehicle used by a medical supply
3 distributor to transport prescription drugs and other medical
4 supplies to an emergency care facility, pharmacy, or nursing home
5 located in an area declared a disaster area by the governor under
6 Chapter 418, Government Code, may have access to highways, streets,
7 and bridges as if the transport vehicle were an emergency vehicle if
8 the transport vehicle will not negatively impact evacuation
9 activities or any response or recovery activities in the disaster
10 area.

11 (b) The Texas Division of Emergency Management shall:

12 (1) establish procedures to assist medical supply
13 distributors in accessing highways, streets, and bridges as
14 authorized by Subsection (a); and

15 (2) provide medical supply distributors with
16 documentation specifying the distributors' access to highways,
17 streets, and bridges as authorized by Subsection (a).

18 (c) This section does not create a cause of action against a
19 law enforcement officer involved in assisting a medical supply
20 distributor under this section for any harm done to the distributor
21 resulting from that assistance.

22 SECTION 2. Not later than September 1, 2018, the Texas
23 Division of Emergency Management shall establish the procedures
24 required by Section 546.052(b)(1), Transportation Code, as added by
25 this Act.

26 SECTION 3. This Act takes effect September 1, 2017.