

AN ACT

relating to physician assistant services performed as volunteer care.

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

SECTION 1. Section 204.2045, Occupations Code, is amended to read as follows:

Sec. 204.2045. VOLUNTEER CARE AND SERVICES PERFORMED DURING DISASTER. (a) The supervision and delegation requirements of this chapter and Subtitle B do not apply to medical tasks performed by a physician assistant:

(1) during a disaster under the state emergency management plan adopted under Section 418.042, Government Code;

(2) during [~~or~~] a disaster declared by the governor or United States government; or

(3) as a volunteer for a charitable organization or at a public or private event, including a religious event, sporting event, community event, or health fair.

(a-1) This section does not apply to medical tasks performed by a physician assistant for compensation or other remuneration.

(b) A physician assistant performing medical tasks under this section:

(1) is entitled to the immunity from liability provided by Section 74.151, Civil Practice and Remedies Code; and

(2) is acting within the scope of the physician

1 assistant's license for purposes of immunity under Section  
2 84.004(c), Civil Practice and Remedies Code.

3 (c) A physician assistant may perform tasks described by  
4 this section:

5 (1) under the supervision of any physician who is also  
6 performing volunteer work in the disaster, for the charitable  
7 organization, or at the public or private event; or

8 (2) without the supervision of a physician, if a  
9 physician is not available to provide supervision.

10 (d) A physician assistant employed by the United States  
11 government or licensed in another state may perform medical tasks  
12 in this state in circumstances described by Subsection (a)(1) or  
13 (2) [~~Subsection (a)~~] without holding a license in this state.

14 SECTION 2. Section 204.2045, Occupations Code, as amended  
15 by this Act, applies only to services performed on or after the  
16 effective date of this Act. Services performed before that date are  
17 governed by the law in effect on the date the services were  
18 performed, and the former law is continued in effect for that  
19 purpose.

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

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1978 was passed by the House on April 26, 2017, by the following vote: Yeas 147, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1978 on May 24, 2017, by the following vote: Yeas 145, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1978 was passed by the Senate, with amendments, on May 23, 2017, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor