

By: Guillen

H.B. No. 3186

A BILL TO BE ENTITLED

AN ACT

relating to certain emergency medical services.

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

SECTION 1. Section 773.003, Health and Safety Code, is amended by adding Subdivision (18-a) to read as follows:

(18-a) "Patient" means a person who:

(A) has a perceived need for medical care or transportation for a physiological or psychological illness or injury;

(B) requires medical observation, monitoring, or assessment; and

(C) is either awaiting treatment or already under treatment for the related condition.

SECTION 2. Sections 773.014(a), (b), (c), (c-1), (d), (e), (f), and (g), Health and Safety Code, are amended to read as follows:

(a) An emergency medical services provider and a first responder organization may acquire and possess epinephrine ~~[auto-injector devices]~~ in accordance with this section. Emergency medical services personnel may carry and administer epinephrine ~~[auto-injector devices]~~ in accordance with this section.

(b) The executive commissioner shall adopt rules designed to protect the public health and safety to implement this section. The rules must provide that emergency medical services personnel

1 may administer [~~an~~] epinephrine [~~auto-injector device~~] to another
2 only if the person has successfully completed a training course,
3 approved by the department, in the methods of administering
4 epinephrine [~~use of the device~~] that is consistent with the
5 national standard training curriculum for emergency medical
6 technicians.

7 (c) An emergency medical services provider or first
8 responder organization may acquire, possess, maintain, and dispose
9 of epinephrine [~~auto-injector devices~~], and emergency medical
10 services personnel may carry, maintain, administer, and dispose of
11 epinephrine [~~auto-injector devices~~], only in accordance with:

- 12 (1) rules adopted under this section; and
13 (2) a delegated practice agreement that provides for
14 medical supervision by a licensed physician who either:
15 (A) acts as a medical director for an emergency
16 medical services system or a licensed hospital; or
17 (B) has knowledge and experience in the delivery
18 of emergency care.

19 (c-1) A licensed physician acting as a medical director for
20 an emergency medical services system may restrict the [~~use and~~]
21 administration of epinephrine [~~auto-injector devices~~] to certain
22 emergency medical services personnel of the system through:

- 23 (1) the delegated practice agreement; or
24 (2) the adoption of policies governing the
25 administration [~~use~~] of epinephrine [~~the devices~~] by personnel
26 within the system.

27 (d) Emergency medical services personnel who administer

1 epinephrine [~~auto-injector devices~~] to others shall [~~immediately~~]
2 report the administration of epinephrine [~~use~~] to the physician
3 supervising the activities of the emergency medical services
4 personnel in accordance with approved treatment protocols.

5 (e) The administration of [~~an~~] epinephrine [~~auto-injector~~
6 ~~device~~] to another under this section is considered to be the
7 administration of emergency care for the purposes of any statute
8 relating to liability for the provision of emergency care. The
9 administration of [~~an~~] epinephrine [~~auto-injector device~~] to
10 another in accordance with the requirements of this section does
11 not constitute the unlawful practice of any health care profession.

12 (f) A person otherwise authorized to sell or provide [~~an~~]
13 epinephrine [~~auto-injector device~~] to another may sell or provide
14 epinephrine [~~the devices~~] to an emergency medical services provider
15 or a first responder organization authorized to acquire and possess
16 epinephrine [~~the devices~~] under this section.

17 (g) This section does not prevent emergency medical
18 services personnel who are also licensed health care professionals
19 under another health care licensing law and who are authorized to
20 acquire, possess, and administer [~~an~~] epinephrine [~~auto-injector~~
21 ~~device~~] under the other health care licensing law from acting under
22 the other law.

23 SECTION 3. Section 773.050(g), Health and Safety Code, is
24 amended to read as follows:

25 (g) Rules adopting minimum standards under this section
26 shall require:

27 (1) an emergency medical services vehicle to carry a

1 supply of [~~be equipped with an~~] epinephrine for the treatment of
2 [~~auto-injector device or similar device to treat~~] anaphylaxis, when
3 authorized by the emergency medical services provider's medical
4 director; and

5 (2) emergency medical services personnel to complete
6 continuing education training in the administration of epinephrine
7 as a treatment for anaphylaxis [~~treatment~~].

8 SECTION 4. This Act takes effect September 1, 2017.