

SENATE AMENDMENTS

2nd Printing

By: Metcalf

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.

ADOPTED

MAY 24 2017

By: Metcalf/ Brandon Coyle

Lacey Spaw
Secretary of the Senate

H.B. No. 1816

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

By: Taffirini

C.S.H.B. No. 1816

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11 facility, hospital, temporary emergency clinic, and trauma
12 facility, that provides emergency medical care.

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

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

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

21 (5) "Pharmacy" has the meaning assigned by Section
22 551.003, Occupations Code.

23 (6) "Trauma facility" has the meaning assigned by
24 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 establish procedures to assist medical supply distributors in
13 accessing highways, streets, and bridges as authorized by
14 Subsection (a).

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

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

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 25, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1816 by Metcalf (Relating to the operation of medical supply transport vehicles during a declared state of disaster.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require the Department of Public Safety's Division of Emergency Management to establish procedures to assist medical supply distributors in accessing highways, streets, and bridges. The bill would specify that it does not create a cause of action against a law enforcement officer involved in assisting a medical supply distributor for any harm done to the distributor resulting from that assistance. The costs associated with implementing the bill's provisions are assumed to be absorbable within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

According to the Texas Association of Counties, the fiscal impact to counties to implement the provisions of the bill is not anticipated to be significant.

Source Agencies: 405 Department of Public Safety, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: UP, SD, SZ, JAW, JGA, FR, AI

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 17, 2017

TO: Honorable Craig Estes, Chair, Senate Committee on Natural Resources & Economic Development

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1816** by Metcalf (relating to the operation of medical supply transport vehicles during a declared state of disaster.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require the Department of Public Safety's Division of Emergency Management to establish procedures to assist medical supply distributors in accessing highways, streets, and bridges. The bill would specify that it does not create a cause of action against a law enforcement officer involved in assisting a medical supply distributor for any harm done to the distributor resulting from that assistance. The costs associated with implementing the bill's provisions are assumed to be absorbable within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

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LBB Staff: UP, SZ, JAW, JGA, FR, AI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 12, 2017

TO: Honorable Craig Estes, Chair, Senate Committee on Natural Resources & Economic Development

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1816** by Metcalf (Relating to the operation of medical supply transport vehicles during a declared state of disaster.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require the Department of Public Safety's Division of Emergency Management to establish procedures to assist medical supply distributors in accessing highways, streets, and bridges and provide medical supply distributors with documentation specifying the distributors' access to highways, streets, and bridges. The bill would specify that it does not create a cause of action against a law enforcement officer involved in assisting a medical supply distributor for any harm done to the distributor resulting from that assistance. The costs associated with implementing the bill's provisions are assumed to be absorbable within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

According to the Texas Association of Counties, the fiscal impact to counties to implement the provisions of the bill is not anticipated to be significant.

Source Agencies: 405 Department of Public Safety, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: UP, SZ, JAW, JGA, FR, AI

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 20, 2017

TO: Honorable Phil King, Chair, House Committee on Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1816 by Metcalf (Relating to the operation of medical supply transport vehicles, during a declared state of disaster.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require the Department of Public Safety's Division of Emergency Management to establish procedures to assist medical supply distributors in accessing highways, streets, and bridges and provide medical supply distributors with documentation specifying the distributors' access to highways, streets, and bridges. The bill would specify that it does not create a cause of action against a law enforcement officer involved in assisting a medical supply distributor for any harm done to the distributor resulting from that assistance. The costs associated with implementing the bill's provisions are assumed to be absorbable within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

According to the Texas Association of Counties, the fiscal impact to counties to implement the provisions of the bill is not anticipated to be significant.

Source Agencies: 405 Department of Public Safety, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: UP, JAW, JGA, FR, AI

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 9, 2017

TO: Honorable Phil King, Chair, House Committee on Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1816 by Metcalf (Relating to the operation of medical supply transport vehicles during a declared state of disaster.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require the Department of Public Safety's Division of Emergency Management to establish procedures to assist medical supply distributors in accessing highways, streets, and bridges and provide medical supply distributors with documentation specifying the distributors' access to highways, streets, and bridges. The costs associated with implementing the bill's provisions are assumed to be absorbable within existing resources.

The bill would take effect September 1, 2017.

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LBB Staff: UP, FR, AI, JAW, JGA