House Bill 1978
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
SECTION 1. Section 204.2045, Occupations Code, is amended to read as follows: Sec. 204.2045. <u>VOLUNTEER CARE AND</u> 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<u>:</u> <u>(1)</u> during a disaster under the state emergency management plan adopted under Section 418.042, Government Code<u>;</u> <u>(2)</u> during [<s>, or</s>] a disaster declared by the governor or United States government<u>; or</u> <u>(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</u>. <u>(a-1) This section does not apply to medical tasks performed by a physician assistant for compensation or other remuneration.</u> (b) A physician assistant performing medical tasks under this section<u>:</u> <u>(1)</u> is entitled to the immunity from liability provided by Section 74.151, Civil Practice and Remedies Code<u>; and</u> <u>(2) is acting within the scope of the physician assistant's license for purposes of immunity under Section 84.004(c), Civil Practice and Remedies Code</u>. (c) A physician assistant may perform tasks described by this section: (1) under the supervision of any physician who is also performing volunteer work in the disaster<u>, for the charitable organization, or at the public or private event</u>; or (2) without the supervision of a physician, if a physician is not available to provide supervision. (d) A physician assistant employed by the United States government or licensed in another state may perform medical	SECTION 1. Section 204.2045, Occupations Code, is amended to read as follows: Sec. 204.2045. <u>VOLUNTEER CARE AND</u> 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<u>:</u> <u>(1)</u> during a disaster under the state emergency management plan adopted under Section 418.042, Government Code<u>;</u> <u>(2)</u> during [<s>, or</s>] a disaster declared by the governor or United States government<u>; or</u> <u>(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</u>. <u>(a-1) This section does not apply to medical tasks performed by a physician assistant for compensation or other remuneration.</u> (b) A physician assistant performing medical tasks under this section<u>:</u> <u>(1)</u> is entitled to the immunity from liability provided by Section 74.151, Civil Practice and Remedies Code<u>; and</u> <u>(2) is acting within the scope of the physician assistant's license for purposes of immunity under Section 84.004(c), Civil Practice and Remedies Code</u>. (c) A physician assistant may perform tasks described by this section: (1) under the supervision of any physician who is also performing volunteer work in the disaster<u>, for the charitable organization, or at the public or private event</u>; or (2) without the supervision of a physician, if a physician is not available to provide supervision. (d) A physician assistant employed by the United States government or licensed in another state may perform medical	

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tasks in this state in circumstances described by Subsection (a) without holding a license in this state.	tasks in this state in circumstances described by Subsection (a)(1) or (2) [Subsection (a)] without holding a license in this state. [FA1]	
SECTION 2. Section 204.2045, Occupations Code, as amended by this Act, applies only to services performed on or after the effective date of this Act. Services performed before that date are governed by the law in effect on the date the services were performed, and the former law is continued in effect for that purpose.	SECTION 2. Same as House version.	
SECTION 3. This Act takes effect September 1, 2017.	SECTION 3. Same as House version.	