

## **BILL ANALYSIS**

H.B. 871  
By: Price  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the inability of certain health care facilities in rural Texas to satisfy requirements of a Level IV trauma facility due to staffing shortages. H.B. 871 seeks to address these concerns by allowing health facilities located in certain counties to meet such requirements through the use of telemedicine medical services.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

### **ANALYSIS**

H.B. 871 amends the Health and Safety Code to authorize a health care facility located in a county with a population of less than 30,000 to satisfy a Level IV trauma facility designation requirement relating to physicians through the use of telemedicine medical service in which an on-call physician who has special competence in the care of critically injured patients provides patient assessment, diagnosis, consultation, or treatment or transfers medical data to a physician, advanced practice registered nurse, or physician assistant located at the facility. The bill prohibits the executive commissioner of the Health and Human Services Commission, in establishing the requirements for designating a facility as a Level IV trauma facility, from adopting rules that require the physical presence or physical availability of a physician who has special competence in the care of critically injured patients or that prohibit the use of telemedicine medical service that meets the bill's requirements. The bill requires the executive commissioner, not later than December 1, 2019, to adopt rules to implement the bill's provisions. The bill authorizes a health care facility located in a county with a population of less than 30,000 to use telemedicine medical service to satisfy a Level IV trauma facility designation requirement only on or after January 1, 2020.

### **EFFECTIVE DATE**

September 1, 2019.