86R2923 EAS-D

By:  Price, Guillen, Sheffield, Ashby, H.B. No. 871

     González of El Paso

A BILL TO BE ENTITLED

AN ACT

relating to use of telemedicine medical service by certain trauma facilities.

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

SECTION 1.  Subchapter E, Chapter 773, Health and Safety Code, is amended by adding Section 773.1151 to read as follows:

Sec. 773.1151.  USE OF TELEMEDICINE MEDICAL SERVICE BY CERTAIN TRAUMA FACILITIES. (a) In this section, "telemedicine medical service" has the meaning assigned by Section 111.001, Occupations Code.

(b)  A health care facility located in a county with a population of less than 30,000 may 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.

(c)  In establishing the requirements for designating a facility as a Level IV trauma facility, the executive commissioner may not adopt rules that:

(1)  require the physical presence or physical availability of a physician who has special competence in the care of critically injured patients; or

(2)  prohibit the use of telemedicine medical service that meets the requirements of Subsection (b).

SECTION 2.  The executive commissioner of the Health and Human Services Commission shall adopt rules to implement Section 773.1151, Health and Safety Code, as added by this Act, not later than December 1, 2019.

SECTION 3.  Notwithstanding Section 773.1151, Health and Safety Code, as added by this Act, a health care facility located in a county with a population of less than 30,000 may use telemedicine medical service to satisfy a Level IV trauma facility designation requirement only on or after January 1, 2020.

SECTION 4.  This Act takes effect September 1, 2019.