

By: Price, Guillen, Sheffield, Ashby,  
González of El Paso

H.B. No. 871

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

1 of critically injured patients; or

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

4 SECTION 2. The executive commissioner of the Health and  
5 Human Services Commission shall adopt rules to implement Section  
6 773.1151, Health and Safety Code, as added by this Act, not later  
7 than December 1, 2019.

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

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