

By: Campbell

S.B. No. 1657

A BILL TO BE ENTITLED

AN ACT

relating to level of care designations for rural hospitals that provide maternal care.

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

SECTION 1. Subchapter H, Chapter 241, Health and Safety Code, is amended by adding Section 241.1831 to read as follows:

Sec. 241.1831. LEVEL OF CARE DESIGNATIONS FOR MATERNAL CARE IN RURAL HOSPITALS. (a) In this section:

(1) "Rural hospital" means a hospital that has fewer than 50 beds and:

(A) is:

(i) designated by the Centers for Medicare and Medicaid Services as a critical access hospital, sole community hospital, or rural referral center; and

(ii) not located in an area defined by the federal Office of Management and Budget as a metropolitan statistical area; or

(B) is located in a county with a population of not more than 60,000.

(2) "Telemedicine medical service" has the meaning assigned by Section 111.001, Occupations Code.

(b) A rural hospital must have available at all times for consultation, either in person or as a telemedicine medical service, a family medicine physician, an obstetrics and gynecology

1 physician, or a maternal fetal medicine physician who:

2 (1) for a rural hospital assigned a Level I level of
3 care designation:

4 (A) is licensed by the Texas Medical Board;

5 (B) has obstetrics training and experience; and

6 (C) has maternal care and obstetrical surgical
7 privileges; or

8 (2) for a rural hospital assigned a Level II level of
9 care designation:

10 (A) is licensed by the Texas Medical Board;

11 (B) has obstetrics training and experience;

12 (C) has maternal care and obstetrical surgical
13 privileges; and

14 (D) is available to provide medical services or
15 telemedicine medical services to a patient of the hospital not
16 later than 30 minutes after the time the hospital contacts the
17 physician.

18 (c) This section does not affect the authority of a
19 physician to delegate to a certified registered nurse anesthetist
20 under Section 157.058, Occupations Code.

21 (d) The department by rule shall establish a process by
22 which a rural hospital may appeal its level of care designation to
23 the department.

24 (e) Except as specifically provided by this section, a rural
25 hospital is subject to all other requirements for a level of care
26 designation under this chapter.

27 SECTION 2. As soon as practicable after the effective date

1 of this Act, the Department of State Health Services shall adopt
2 rules as necessary to implement Section 241.1831, Health and Safety
3 Code, as added by this Act.

4 SECTION 3. This Act takes effect September 1, 2019.