

By: Darby

H.B. No. 2792

A BILL TO BE ENTITLED

AN ACT

relating to a pilot project to provide emergency telemedicine medical services in rural areas.

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

SECTION 1. Chapter 771, Health and Safety Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. NEXT GENERATION 9-1-1 TELEMEDICINE MEDICAL SERVICES

PILOT PROJECT

Sec. 771.151. DEFINITIONS. In this subchapter:

(1) "Center" means the area health education center at the Texas Tech University Health Sciences Center that meets the requirements of 42 U.S.C. Section 294a and has been awarded federal funding as an area health education center.

(2) "Emergency medical services" means services used to respond to an individual's perceived need for immediate medical care and to prevent death or aggravation of physiological or psychological illness or injury.

(3) "Emergency medical services provider" means a person who uses or maintains emergency medical services vehicles, medical equipment, and emergency medical services personnel to provide emergency medical services.

(4) "Emergency prehospital care" means care provided to a sick or injured individual before or during transportation of the individual to a medical facility, and includes any necessary

1 stabilization of the individual in connection with that
2 transportation.

3 (5) "Pilot project" means a pilot project established
4 under Section 771.152.

5 (6) "Regional trauma resource center" means a trauma
6 facility the center selects to participate in the pilot project.

7 (7) "Rural area" means:

8 (A) a county with a population of 50,000 or less;
9 or

10 (B) a large, isolated, and sparsely populated
11 area of a county with a population of more than 50,000.

12 (8) "Telemedicine medical service" means a health care
13 service initiated by a physician or provided by a health
14 professional acting under physician delegation and supervision
15 that is provided for patient assessment purposes by a health
16 professional, diagnosis or consultation by a physician, treatment
17 by a health professional, or the transfer of medical data and that
18 requires the use of advanced telecommunications technology, other
19 than telephone or facsimile technology, including:

20 (A) compressed digital interactive video, audio,
21 or data transmission;

22 (B) clinical data transmission using computer
23 imaging through still-image capture and store and forward; and

24 (C) other technology that facilitates access to
25 health care services or medical specialty expertise.

26 (9) "Trauma facility" means a health care facility
27 that is equipped and staffed to provide comprehensive treatment of

1 seriously injured individuals and is a part of an emergency medical
2 services and trauma care system.

3 Sec. 771.152. ESTABLISHMENT OF PILOT PROJECT. (a) The
4 commission, with the assistance of the center, shall establish a
5 pilot project to provide emergency medical services instruction and
6 emergency prehospital care instruction through a telemedicine
7 medical service provided by regional trauma resource centers to:

8 (1) health care providers in rural area trauma
9 facilities; and

10 (2) emergency medical services providers in rural
11 areas.

12 (b) The commission shall provide technical assistance to
13 the center in implementing the pilot project.

14 (c) The center, with the assistance of the commission,
15 shall:

16 (1) design criteria and protocols for the telemedicine
17 medical service and related instruction and provide the oversight
18 necessary to conduct the pilot project;

19 (2) define criteria to determine when telemedicine
20 medical services that provide instructions for emergency medical
21 services, emergency prehospital care, and trauma care should be
22 transferred to an emergency medical resource center for
23 intervention; and

24 (3) collect the data necessary to evaluate the
25 project.

26 (d) The center may make available appropriate resources for
27 individuals who do not speak English.

1 Sec. 771.153. PERSONNEL. The center shall provide the
2 telemedicine medical service and related instruction for the pilot
3 project through health care providers in regional trauma resource
4 centers, including physicians, pharmacists, emergency medical
5 personnel, and other health professionals acting under physician
6 delegation and supervision.

7 Sec. 771.154. PARTICIPATION IN PILOT PROJECT. (a) The
8 center shall determine the trauma facilities and emergency medical
9 services providers interested in participating in the pilot
10 project.

11 (b) A trauma facility or emergency medical services
12 provider participating in the pilot project must agree to
13 successfully complete any required training and to provide all
14 reports required by the center for the project.

15 Sec. 771.155. SELECTION OF PROJECT PARTICIPANTS AND
16 REGIONAL TRAUMA RESOURCE CENTERS. (a) The center, with the
17 assistance of the commission, may select trauma facilities and
18 emergency medical services providers to participate in the pilot
19 project and select trauma facilities to serve as regional trauma
20 resource centers.

21 (b) The center may not select a trauma facility to
22 participate in the pilot project or to serve as a regional trauma
23 resource center unless the facility:

24 (1) has a quality assurance program that measures each
25 health care provider's compliance with the medical protocol;

26 (2) uses emergency medical services and emergency
27 prehospital care protocols approved by a physician medical director

1 knowledgeable in emergency medical services and emergency
2 prehospital care;

3 (3) has experience in providing emergency medical
4 services and emergency prehospital care that the center determines
5 is sufficient; and

6 (4) has resources sufficient to provide the additional
7 telemedicine medical services and related instruction required for
8 the project in addition to the health care services already
9 provided by the facility.

10 (c) In selecting a trauma facility to serve as a regional
11 trauma resource center, the center shall consider the facility
12 personnel's ability to maintain records and produce reports to
13 measure the effectiveness of the pilot project. The center shall
14 share information regarding that ability with the commission.

15 Sec. 771.156. FUNDING OF PILOT PROJECT. (a) Money
16 collected under Section 771.072(f) may be appropriated to the
17 commission to fund the pilot project.

18 (b) The center may seek grants to fund the pilot project.

19 (c) A political subdivision with a trauma facility that
20 participates in the pilot project may pay part of the costs of the
21 project.

22 (d) If a sufficient number of political subdivisions in a
23 region that may be served by the pilot project agree to pay the
24 center an amount that together with other funding received under
25 this section is sufficient to fund the project for the region, the
26 center shall:

27 (1) contract with the political subdivisions for each

1 to pay an appropriate share of the cost; and

2 (2) implement the project for the region when the
3 amounts agreed to in the contracts and any other funding received
4 under this section are sufficient to fund the project for the
5 region.

6 Sec. 771.157. REPORT TO LEGISLATURE. The center, in
7 cooperation with the commission, shall report its findings to the
8 governor and the presiding officer of each house of the
9 legislature, not later than December 31, 2026.

10 Sec. 771.158. LIABILITY. The operations of the center and a
11 regional trauma resource center are considered to be the provision
12 of 9-1-1 services for purposes of Section [771.053](#). Employees of and
13 volunteers at the regional trauma resource center have the same
14 protection from liability as a member of the governing body of a
15 public agency under Section [771.053](#).

16 Sec. 771.159. WORK GROUP. (a) The center may appoint a
17 project work group to assist the center in developing,
18 implementing, and evaluating the pilot project and preparing a
19 report on the center's findings.

20 (b) A member of the work group is not entitled to
21 compensation for serving on the project work group and may not be
22 reimbursed for travel or other expenses incurred while conducting
23 the business of the project work group.

24 (c) The project work group is not subject to Chapter [2110](#),
25 Government Code.

26 Sec. 771.160. EXPIRATION. This subchapter expires January
27 1, 2027.

1 SECTION 2. Section 771.072(g), Health and Safety Code, is
2 amended to read as follows:

3 (g) Notwithstanding any other law, revenue derived from the
4 equalization surcharge imposed under this section may be
5 appropriated to the commission only for the purposes described by
6 Section 771.156 and Sections 773.122 through 773.124.

7 SECTION 3. This Act takes effect September 1, 2021.