

## **BILL ANALYSIS**

Senate Research Center  
88R1405 MCF-F

H.B. 617  
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Health & Human Services  
5/18/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Individuals in rural areas of Texas often must travel more than 60 miles to the nearest Level I Trauma Facility to seek comprehensive care for the highest level of injuries. For rural Texans, telemedicine and telehealth expands access to critical care and reduce burdensome travel times in situations where every second counts. A network of telehealth and telemedicine providers will ensure rural Texans have the same access to critical health care in life-threatening emergencies as Texans in cities like Houston and Dallas.

H.B. 617 directs the Commission on State Emergency Communications (CSEC) and the Texas Tech University Health Services Center (center) to implement a strategic telemedicine and telehealth network in rural areas of Texas. The center should enroll interested and qualifying trauma facilities and emergency medical services providers into the telemedicine and telehealth network. The network will help bring patients and physicians together more quickly. The bill would require the center, in cooperation with CSEC, to evaluate the pilot program and to report its findings no later than December 31, 2028. The provisions reestablishing and governing the pilot project would expire on September 1, 2029.

H.B. 617 amends current law relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 771, Health and Safety Code, by adding Subchapter F, as follows:

#### **SUBCHAPTER F. NEXT GENERATION 9-1-1 TELEMEDICINE MEDICAL SERVICES AND TELEHEALTH SERVICES PILOT PROJECT**

Sec. 771.151. DEFINITIONS. Defines "center," "emergency medical service," "emergency medical services provider," "emergency prehospital care," "pilot project," "regional trauma resource center," "rural area," "telehealth service," "telemedicine medical service," and "trauma facility."

Sec. 771.152. ESTABLISHMENT OF PILOT PROJECT. (a) Requires the Commission on State Emergency Communications (CSEC), with the assistance of the area health education center at the Texas Tech University Health Sciences Center (center), to establish a pilot project to provide emergency medical services instruction and emergency prehospital care instruction through a telemedicine medical service or telehealth service provided by regional trauma resource centers to health care providers in rural area trauma facilities and to emergency medical services providers in rural areas.

(b) Requires CSEC to provide technical assistance to the center in implementing the pilot project.

(c) Requires the center, with assistance of CSEC, to:

(1) design criteria and protocols for each telemedicine medical service or telehealth service offered and the related instruction, and provide the oversight necessary to conduct the pilot project;

(2) define criteria to determine when a telemedicine medical service or telehealth service that provides instruction for emergency medical services, emergency prehospital care, and trauma care should be transferred to an emergency medical resource center for intervention; and

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

(d) Authorizes the center to make available appropriate resources for individuals who do not speak English.

Sec. 771.153. PERSONNEL. Requires the center to provide the telemedicine medical service or telehealth service and related instruction for the pilot project through health care providers in regional trauma resource centers, including physicians, pharmacists, emergency medical personnel, and other health professionals.

Sec. 771.154. PARTICIPATION IN PILOT PROJECT. (a) Requires the center to determine the trauma facilities and emergency medical services providers interested in participating in the pilot project.

(b) Requires a trauma facility or emergency medical services provider participating in the pilot project to agree to successfully complete any required training and to provide all reports required by the center for the project.

Sec. 771.155. SELECTION OF PILOT PROJECT PARTICIPANTS AND REGIONAL TRAUMA RESOURCE CENTERS. (a) Authorizes the center, with assistance of CSEC, to select trauma facilities and emergency medical services providers to participate in the pilot project and select trauma facilities to serve as regional trauma resource centers.

(b) Prohibits the center from selecting a trauma facility to participate in the pilot project or to serve as a regional trauma resource center unless the facility:

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

(2) uses emergency medical services and emergency prehospital care protocols approved by a physician medical director knowledgeable in emergency medical services and emergency prehospital care;

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

(4) has resources sufficient to provide the additional telemedicine medical services or telehealth services and related instruction required for the project in addition to the health care services the facility already provides.

(c) Requires the center, in selecting a trauma facility to serve as a regional trauma resource center, to consider the facility personnel's ability to maintain records and produce reports to measure the effectiveness of the pilot project. Requires the center to share information regarding that ability with CSEC.

Sec. 771.156. FUNDING OF PILOT PROJECT. (a) Authorizes money collected under Section 771.072(f) (relating to requiring the Comptroller of Public Accounts of the State of Texas to deposit surcharge and prior balances in accounts in the general revenue fund) to be appropriated to CSEC to fund the pilot project.

(b) Authorizes the center to seek grants to fund the pilot project.

(c) Authorizes a political subdivision with a trauma facility that participates in the pilot project to pay part of the project costs.

(d) Requires the center, if a sufficient number of political subdivisions in a region that is authorized to be served by the pilot project agree to pay the center an amount that together with other funding received under this section is sufficient to fund the project for the region, to:

(1) contract with the political subdivisions for each subdivision to pay an appropriate share of the cost; and

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

Sec. 771.157. REPORT TO LEGISLATURE. Requires the center, in cooperation with CSEC, to report its findings to the governor and the presiding officer of each house of the legislature not later than December 31, 2028.

Sec. 771.158. LIABILITY. Provides that the operations of the center and a regional trauma resource center are considered to be the provision of 9-1-1 services for purposes of Section 771.053 (Statewide Limitation on Liability of Service Providers and Certain Public Officers). Provides that employees of and volunteers at the regional trauma resource center have the same protection from liability as a member of the governing body of a public agency under Section 771.053.

Sec. 771.159. PROJECT WORK GROUP. (a) Authorizes the center to appoint a project work group to assist the center in developing, implementing, and evaluating the pilot project and preparing a report on the center's findings.

(b) Provides that a member of the project work group is not entitled to compensation for serving on the project work group and is prohibited from being reimbursed for travel or other expenses incurred while conducting the business of the project work group.

(c) Provides that the project work group is not subject to Chapter 2110 (State Agency Advisory Committees), Government Code.

Sec. 771.160. EXPIRATION. Provides that this subchapter expires September 1, 2029.

SECTION 2. Amends Section 771.072(g), Health and Safety Code, as follows:

(g) Authorizes revenue derived from the equalization surcharge imposed under Section 771.072 (Equalization Surcharge) to be appropriated to CSEC only for the purposes described by certain statutes, including Section 771.156, notwithstanding any other law. Makes a nonsubstantive change.

SECTION 3. Effective date: September 1, 2023.