

A BILL TO BE ENTITLED

AN ACT

relating to personal assistive mobility device protections for patients receiving emergency medical services.

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

SECTION 1. Subchapter A, Chapter 773, Health and Safety Code, is amended by adding Section 773.0125 to read as follows:

Sec. 773.0125. PERSONAL ASSISTIVE MOBILITY DEVICE PROTECTIONS. (a) In this section:

(1) "Hospital" means a general hospital, a pediatric and adolescent hospital, or a special hospital, as those terms are defined by Section 241.003.

(2) "Personal assistive mobility device" means a wheelchair or a motorized assistive mobility device, including a motorized wheelchair.

(b) This section applies to the transport, custody, and control of a personal assistive mobility device of a patient who is receiving emergency medical services while the device is:

(1) in an emergency medical services vehicle;

(2) being transported or controlled by emergency medical services personnel, including volunteers;

(3) being transported or controlled by an emergency medical services provider;

(4) under the custody or control of a hospital; or

(5) under the custody or control of an individual who

1 is providing the emergency medical services for an emergency
2 medical services and trauma care system.

3 (c) The executive commissioner shall adopt rules to:

4 (1) ensure the safety and security of and the
5 protection of property rights in a patient's personal assistive
6 mobility device while the patient is receiving emergency medical
7 services as described by Subsection (b); and

8 (2) require each person or entity that provides the
9 emergency medical services to adopt procedures, in accordance with
10 commission rules, for the:

11 (A) safe and secure storage of the patient's
12 personal assistive mobility device for the duration of the service
13 provision;

14 (B) return to the patient of the patient's
15 personal assistive mobility device at the time the service
16 provision concludes; and

17 (C) safe and secure transfer of the patient's
18 personal assistive mobility device from one person providing
19 emergency medical services as described by Subsection (b) to
20 another person providing those services, including the transfer of
21 a personal assistive mobility device for a patient who is
22 transported by air.

23 SECTION 2. As soon as practicable after the effective date
24 of this Act, the executive commissioner of the Health and Human
25 Services Commission shall adopt the rules required by Section
26 773.0125, Health and Safety Code, as added by this Act.

27 SECTION 3. This Act takes effect September 1, 2023.