

1-1 By: Blanco S.B. No. 1588
1-2 (In the Senate - Filed March 3, 2023; March 16, 2023, read
1-3 first time and referred to Committee on Health & Human Services;
1-4 March 31, 2023, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 31, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Kolkhorst	X		
1-9	Perry	X		
1-10	Blanco	X		
1-11	Hall	X		
1-12	Hancock	X		
1-13	Hughes	X		
1-14	LaMantia	X		
1-15	Miles	X		
1-16	Sparks	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to variances from Department of State Health Services
1-20 rules governing the provision of emergency medical services.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections 773.052(a), (c), (d), and (f), Health
1-23 and Safety Code, are amended to read as follows:

1-24 (a) An emergency medical services provider with a specific
1-25 hardship may apply to the department for a variance from a rule
1-26 adopted under this chapter. ~~[The executive commissioner by rule~~
1-27 ~~may adopt a fee of not more than \$30 for filing an application for a~~
1-28 ~~variance.]~~

1-29 (c) The department shall grant to an emergency medical
1-30 services provider who is the ~~[a]~~ sole provider for a service area a
1-31 variance from the minimum staffing standards ~~[for staffing and~~
1-32 ~~equipment]~~ for the provision of ~~[basic life support]~~ emergency
1-33 medical services in that service area ~~[if the provider is an~~
1-34 ~~emergency medical services provider exempt from the payment of fees~~
1-35 ~~under Section 773.0581].~~

1-36 (d) An applicant for a variance under Subsection (c) must
1-37 submit a letter to the department from the commissioners court of
1-38 the county or the governing body of the municipality in which the
1-39 provider intends to operate an emergency medical services vehicle
1-40 in the provision of emergency medical services in a service area of
1-41 the county or municipality. ~~[The letter must state that there is no~~
1-42 ~~other emergency medical services provider in the service area.]~~

1-43 (f) The department shall issue an emergency medical
1-44 services license to a provider granted a variance under this
1-45 section. The license is subject to annual review by the department.
1-46 A provider is encouraged to upgrade staffing ~~[and equipment]~~ to
1-47 meet the minimum standards set by the rules adopted under this
1-48 chapter.

1-49 SECTION 2. Section 773.052, Health and Safety Code, as
1-50 amended by this Act, applies only to a variance application
1-51 submitted on or after the effective date of this Act. A variance
1-52 application submitted before the effective date of this Act is
1-53 governed by the law applicable to the application on the date the
1-54 application was submitted, and that law is continued in effect for
1-55 that purpose.

1-56 SECTION 3. This Act takes effect September 1, 2023.

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