

1-1 By: Davis of Harris (Senate Sponsor - Nelson) H.B. No. 1148  
 1-2 (In the Senate - Received from the House April 3, 2017;  
 1-3 May 16, 2017, read first time and referred to Committee on Health &  
 1-4 Human Services; May 19, 2017, reported favorably by the following  
 1-5 vote: Yeas 8, Nays 0; May 19, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

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

1-19 relating to emergency health care services and trauma care systems.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Subchapter B, Chapter 773, Health and Safety  
 1-22 Code, is amended by adding Section 773.026 to read as follows:

1-23 Sec. 773.026. EMERGENCY HEALTH CARE SERVICES COORDINATION

1-24 PLAN. (a) The administrative cooperatives designated under  
 1-25 Section 773.125, in consultation with each trauma service area  
 1-26 regional advisory council and the advisory council established by  
 1-27 Section 773.012, shall collectively develop a written 25-year plan  
 1-28 for coordinating emergency health care services throughout this  
 1-29 state.

1-30 (b) The emergency health care services coordination plan  
 1-31 must include strategies to provide services for:

- 1-32 (1) trauma care;
- 1-33 (2) stroke care;
- 1-34 (3) cardiac care;
- 1-35 (4) neonatal care;
- 1-36 (5) maternal care;
- 1-37 (6) mental health crisis care;
- 1-38 (7) emergency medical services coordination; and
- 1-39 (8) any other area of care provided under the  
 1-40 authority of a trauma service area regional advisory council.

1-41 (c) The administrative cooperatives and advisory councils  
 1-42 shall develop and submit the emergency health care services  
 1-43 coordination plan to the department not later than September 1,  
 1-44 2021. This subsection expires September 1, 2022.

1-45 SECTION 2. Section 773.112, Health and Safety Code, is  
 1-46 amended by adding Subsection (d) to read as follows:

1-47 (d) The executive commissioner, in consultation with the  
 1-48 department, shall conduct a comprehensive review of the rules  
 1-49 adopted under this section every seven years.

1-50 SECTION 3. Subchapter E, Chapter 773, Health and Safety  
 1-51 Code, is amended by adding Sections 773.125, 773.126, 773.127, and  
 1-52 773.128 to read as follows:

1-53 Sec. 773.125. ADMINISTRATIVE COOPERATIVES: DESIGNATION.

1-54 (a) The department shall designate eight or more administrative  
 1-55 cooperatives to provide administrative functions for each trauma  
 1-56 service area regional advisory council located in the public health  
 1-57 region served by the cooperative. When designating the  
 1-58 administrative cooperative for a public health region, the  
 1-59 department shall consider:

- 1-60 (1) any local support for an administrative  
 1-61 cooperative applicant within the public health region; and

2-1 (2) the geographic area of and number of individuals  
 2-2 served by each trauma service area regional advisory council  
 2-3 located in the public health region.

2-4 (b) A trauma service area regional advisory council may  
 2-5 apply to the department in accordance with department rules to be  
 2-6 designated as an administrative cooperative for other trauma  
 2-7 service area regional advisory councils in the public health  
 2-8 region.

2-9 (c) An applicant must demonstrate the applicant has the  
 2-10 personnel, knowledge, skills, and resources necessary to provide  
 2-11 the administrative functions for each trauma service area regional  
 2-12 advisory council in the applicant's public health region.

2-13 (c-1) An applicant must submit an initial application under  
 2-14 Subsection (b) not later than September 1, 2018. The department  
 2-15 shall designate a qualified applicant to serve as the  
 2-16 administrative cooperative not later than September 1, 2019. An  
 2-17 applicant designated to serve as an administrative cooperative  
 2-18 under this subsection shall carry out the duties imposed by Section  
 2-19 773.126 as soon as practicable after the selection and not later  
 2-20 than September 1, 2020. This subsection expires September 1, 2021.

2-21 (d) If a trauma service area regional advisory council  
 2-22 eligible to serve as an administrative cooperative under this  
 2-23 section has not applied for the designation in a public health  
 2-24 region, the department shall designate the trauma service area  
 2-25 regional advisory council with the most appropriate qualifications  
 2-26 in the public health region to serve as the administrative  
 2-27 cooperative for that region.

2-28 Sec. 773.126. ADMINISTRATIVE COOPERATIVES: DUTIES. (a)  
 2-29 Except as provided by Section 773.128, an administrative  
 2-30 cooperative shall perform all administrative functions, including  
 2-31 contract management, grant application management, employee  
 2-32 benefit management, human resource management, and payroll, for  
 2-33 each trauma service area regional advisory council under the  
 2-34 cooperative's jurisdiction. Administrative functions do not  
 2-35 include program activities or activity coordination performed by a  
 2-36 trauma service area regional advisory council under the  
 2-37 administrative cooperative's jurisdiction.

2-38 (b) The department shall directly contract with an  
 2-39 administrative cooperative for administrative duties provided by  
 2-40 the cooperative as required by this section.

2-41 (c) An administrative cooperative shall administer and  
 2-42 distribute funds to each trauma service area regional advisory  
 2-43 council under the cooperative's jurisdiction in accordance with  
 2-44 department rules. In adopting rules under this subsection, the  
 2-45 executive commissioner shall require that an administrative  
 2-46 cooperative distribute funds according to a trauma service area  
 2-47 regional advisory council's population, annual number of trauma  
 2-48 care runs, geographic size, and annual number of deaths.

2-49 (d) An administrative cooperative shall enter into a  
 2-50 centralized purchasing agreement with the trauma service area  
 2-51 regional advisory councils under the cooperative's jurisdiction  
 2-52 and other cooperatives to consolidate purchases for the trauma  
 2-53 service area regional advisory councils as appropriate.

2-54 (e) An administrative cooperative shall submit to the  
 2-55 department in the manner required by the department an annual  
 2-56 report on the amount of money spent by the administrative  
 2-57 cooperative in providing consolidated administrative services for  
 2-58 the trauma service area regional advisory councils under the  
 2-59 cooperative's jurisdiction compared to the amount of money that  
 2-60 would have been spent if each trauma service area regional advisory  
 2-61 council had provided its own administrative services.

2-62 Sec. 773.127. ADMINISTRATIVE COOPERATIVES: TRANSFER OF  
 2-63 TRAUMA SERVICE AREA REGIONAL ADVISORY COUNCILS. (a) A trauma  
 2-64 service area regional advisory council may apply to the department  
 2-65 in accordance with department rules for a transfer from the  
 2-66 jurisdiction of the trauma service area regional advisory council's  
 2-67 administrative cooperative to the jurisdiction of another  
 2-68 administrative cooperative that is willing and capable of providing  
 2-69 administrative services for the trauma service area regional

3-1 advisory council in a more cost-effective manner than the current  
3-2 administrative cooperative is able to provide the services.

3-3 (b) The executive commissioner shall develop criteria for  
3-4 determining whether an administrative cooperative has the  
3-5 personnel, knowledge, skills, and resources necessary to provide  
3-6 administrative services in a more cost-effective manner for a  
3-7 trauma service area regional advisory council applying for a  
3-8 transfer to that administrative cooperative's jurisdiction under  
3-9 this section.

3-10 Sec. 773.128. ADMINISTRATIVE COOPERATIVES: REQUEST BY  
3-11 TRAUMA SERVICE AREA REGIONAL ADVISORY COUNCIL TO RETAIN CERTAIN  
3-12 ADMINISTRATIVE FUNCTIONS. (a) A trauma service area regional  
3-13 advisory council may file a written request with the department to  
3-14 retain an administrative function that has been delegated to an  
3-15 administrative cooperative. The request must include evidence that  
3-16 the trauma service area regional advisory council has the  
3-17 personnel, knowledge, skills, and resources necessary to perform  
3-18 the administrative function in a more cost-effective manner than  
3-19 the function is being performed by the administrative cooperative.

3-20 (b) The department shall grant a request that includes  
3-21 sufficient evidence for the department to determine that the trauma  
3-22 service area regional advisory council has the personnel,  
3-23 knowledge, skills, and resources required by this section and shall  
3-24 notify the administrative cooperative of the department's  
3-25 decision.

3-26 SECTION 4. The executive commissioner of the Health and  
3-27 Human Services Commission shall adopt all rules necessary to  
3-28 implement the change in law made by this Act not later than January  
3-29 1, 2018.

3-30 SECTION 5. The change in law made by this Act applies only  
3-31 to a contract executed on or after the effective date of this Act. A  
3-32 contract executed before the effective date of this Act is governed  
3-33 by the law applicable to the contract immediately before the  
3-34 effective date of this Act, and that law is continued in effect for  
3-35 that purpose.

3-36 SECTION 6. This Act takes effect September 1, 2017.

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