

1-1 By: Price, et al. (Senate Sponsor - Nelson) H.B. No. 1697
 1-2 (In the Senate - Received from the House April 10, 2017;
 1-3 April 19, 2017, read first time and referred to Committee on Health
 1-4 & Human Services; May 5, 2017, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 5, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1697 By: Taylor of Collin

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the establishment of a pediatric health
 1-22 tele-connectivity resource program for rural Texas.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle I, Title 4, Government Code, is amended
 1-25 by adding Chapter 541 to read as follows:

1-26 CHAPTER 541. PEDIATRIC TELE-CONNECTIVITY RESOURCE PROGRAM FOR
 1-27 RURAL TEXAS

1-28 Sec. 541.001. DEFINITIONS. In this chapter:

1-29 (1) "Nonurban health care facility" means a hospital
 1-30 licensed under Chapter 241, Health and Safety Code, or other
 1-31 licensed health care facility in this state that is located in a
 1-32 rural area as defined by Section 845.002, Insurance Code.

1-33 (2) "Pediatric specialist" means a physician who is
 1-34 certified in general pediatrics by the American Board of Pediatrics
 1-35 or American Osteopathic Board of Pediatrics.

1-36 (3) "Pediatric subspecialist" means a physician who is
 1-37 certified in a pediatric subspecialty by a member board of the
 1-38 American Board of Medical Specialties or American Osteopathic Board
 1-39 of Pediatrics.

1-40 (4) "Pediatric tele-specialty provider" means a
 1-41 pediatric health care facility in this state that offers continuous
 1-42 access to telemedicine medical services provided by pediatric
 1-43 subspecialists.

1-44 (5) "Physician" means a person licensed to practice
 1-45 medicine in this state.

1-46 (6) "Program" means the pediatric tele-connectivity
 1-47 resource program for rural Texas established under this chapter.

1-48 (7) "Telemedicine medical services" means health care
 1-49 services delivered to a patient:

1-50 (A) by a physician acting within the scope of the
 1-51 physician's license or a health professional acting under the
 1-52 delegation and supervision of a physician and within the scope of
 1-53 the health professional's license;

1-54 (B) from a physical location that is different
 1-55 from the patient's location; and

1-56 (C) using telecommunications or information
 1-57 technology.

1-58 Sec. 541.002. PEDIATRIC TELE-CONNECTIVITY RESOURCE PROGRAM
 1-59 FOR RURAL TEXAS. The commission with any necessary assistance of
 1-60 pediatric tele-specialty providers shall establish a pediatric

2-1 tele-connectivity resource program for rural Texas to award grants
2-2 to nonurban health care facilities to connect the facilities with
2-3 pediatric specialists and pediatric subspecialists who provide
2-4 telemedicine medical services.

2-5 Sec. 541.003. USE OF GRANT. A nonurban health care facility
2-6 awarded a grant under this chapter may use grant money to:

2-7 (1) purchase equipment necessary for implementing a
2-8 telemedicine medical service;

2-9 (2) modernize the facility's information technology
2-10 infrastructure and secure information technology support to ensure
2-11 an uninterrupted two-way video signal that is compliant with the
2-12 Health Insurance Portability and Accountability Act of 1996 (Pub.
2-13 L. No. 104-191);

2-14 (3) pay a service fee to a pediatric tele-specialty
2-15 provider under an annual contract with the provider; or

2-16 (4) pay for other activities, services, supplies,
2-17 facilities, resources, and equipment the commission determines
2-18 necessary for the facility to use a telemedicine medical service.

2-19 Sec. 541.004. SELECTION OF GRANT RECIPIENTS. (a) The
2-20 commission with any necessary assistance of pediatric
2-21 tele-specialty providers may select an eligible nonurban health
2-22 care facility to receive a grant under this chapter.

2-23 (b) To be eligible for a grant under this chapter, a
2-24 nonurban health care facility must have:

2-25 (1) a quality assurance program that measures the
2-26 compliance of the facility's health care providers with the
2-27 facility's medical protocols;

2-28 (2) on staff at least one full-time equivalent
2-29 physician who has training and experience in pediatrics and one
2-30 person who is responsible for ongoing nursery and neonatal support
2-31 and care;

2-32 (3) a designated neonatal intensive care unit or an
2-33 emergency department;

2-34 (4) a commitment to obtaining neonatal or pediatric
2-35 education from a tertiary facility to expand the facility's depth
2-36 and breadth of telemedicine medical service capabilities; and

2-37 (5) the capability of maintaining records and
2-38 producing reports that measure the effectiveness of a grant
2-39 received by the facility under this chapter.

2-40 Sec. 541.005. GIFTS, GRANTS, AND DONATIONS. (a) The
2-41 commission may solicit and accept gifts, grants, and donations from
2-42 any public or private source for the purposes of this chapter.

2-43 (b) A political subdivision that participates in the
2-44 program may pay part of the costs of the program.

2-45 Sec. 541.006. WORK GROUP. (a) The commission may establish
2-46 a program work group to:

2-47 (1) assist the commission with developing,
2-48 implementing, or evaluating the program; and

2-49 (2) prepare a report on the results and outcomes of the
2-50 grants awarded under this chapter.

2-51 (b) A member of a program work group established under this
2-52 section is not entitled to compensation for serving on the program
2-53 work group and may not be reimbursed for travel or other expenses
2-54 incurred while conducting the business of the program work group.

2-55 (c) A program work group established under this section is
2-56 not subject to Chapter 2110.

2-57 Sec. 541.007. REPORT TO GOVERNOR AND LEGISLATURE. Not
2-58 later than December 1 of each even-numbered year, the commission
2-59 shall submit a report to the governor and members of the legislature
2-60 regarding the activities of the program and grant recipients,
2-61 including the results and outcomes of grants awarded under this
2-62 chapter.

2-63 Sec. 541.008. RULES. The executive commissioner may adopt
2-64 rules necessary to implement this chapter.

2-65 Sec. 541.009. SPECIFIC APPROPRIATION REQUIRED. The
2-66 commission may not spend state funds to accomplish the purposes of
2-67 this chapter and is not required to award a grant under this chapter
2-68 unless money is appropriated for the purposes of this chapter.

2-69 SECTION 2. Not later than December 1, 2017, the Health and

3-1 Human Services Commission shall establish and implement the
3-2 pediatric tele-connectivity resource program for rural Texas
3-3 authorized by Chapter 541, Government Code, as added by this Act.

3-4 SECTION 3. Not later than December 1, 2018, the Health and
3-5 Human Services Commission shall provide the initial report to the
3-6 governor and the legislature as required by Section 541.007,
3-7 Government Code, as added by this Act.

3-8 SECTION 4. If before implementing any provision of this Act
3-9 a state agency determines that a waiver or authorization from a
3-10 federal agency is necessary for implementation of that provision,
3-11 the agency affected by the provision shall request the waiver or
3-12 authorization and may delay implementing that provision until the
3-13 waiver or authorization is granted.

3-14 SECTION 5. This Act takes effect September 1, 2017.

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