

1-1 By: Sheffield (Senate Sponsor - Buckingham) H.B. No. 1978  
 1-2 (In the Senate - Received from the House April 27, 2017;  
 1-3 May 3, 2017, read first time and referred to Committee on Health &  
 1-4 Human Services; May 16, 2017, reported favorably by the following  
 1-5 vote: Yeas 9, Nays 0; May 16, 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 physician assistant services performed as volunteer  
 1-20 care.

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

1-22 SECTION 1. Section 204.2045, Occupations Code, is amended  
 1-23 to read as follows:

1-24 Sec. 204.2045. VOLUNTEER CARE AND SERVICES PERFORMED DURING  
 1-25 DISASTER. (a) The supervision and delegation requirements of this  
 1-26 chapter and Subtitle B do not apply to medical tasks performed by a  
 1-27 physician assistant:

1-28 (1) during a disaster under the state emergency  
 1-29 management plan adopted under Section 418.042, Government Code;

1-30 (2) during ~~the~~ a disaster declared by the governor  
 1-31 or United States government; or

1-32 (3) as a volunteer for a charitable organization or at  
 1-33 a public or private event, including a religious event, sporting  
 1-34 event, community event, or health fair.

1-35 (a-1) This section does not apply to medical tasks performed  
 1-36 by a physician assistant for compensation or other remuneration.

1-37 (b) A physician assistant performing medical tasks under  
 1-38 this section:

1-39 (1) is entitled to the immunity from liability  
 1-40 provided by Section 74.151, Civil Practice and Remedies Code; and

1-41 (2) is acting within the scope of the physician  
 1-42 assistant's license for purposes of immunity under Section  
 1-43 84.004(c), Civil Practice and Remedies Code.

1-44 (c) A physician assistant may perform tasks described by  
 1-45 this section:

1-46 (1) under the supervision of any physician who is also  
 1-47 performing volunteer work in the disaster, for the charitable  
 1-48 organization, or at the public or private event; or

1-49 (2) without the supervision of a physician, if a  
 1-50 physician is not available to provide supervision.

1-51 (d) A physician assistant employed by the United States  
 1-52 government or licensed in another state may perform medical tasks  
 1-53 in this state in circumstances described by Subsection (a) without  
 1-54 holding a license in this state.

1-55 SECTION 2. Section 204.2045, Occupations Code, as amended  
 1-56 by this Act, applies only to services performed on or after the  
 1-57 effective date of this Act. Services performed before that date are  
 1-58 governed by the law in effect on the date the services were  
 1-59 performed, and the former law is continued in effect for that  
 1-60 purpose.

1-61 SECTION 3. This Act takes effect September 1, 2017.

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