

1-1 By: Darby, et al. (Senate Sponsor - Alvarado) H.B. No. 617  
 1-2 (In the Senate - Received from the House April 5, 2023;  
 1-3 May 2, 2023, read first time and referred to Committee on Health &  
 1-4 Human Services; May 21, 2023, reported favorably by the following  
 1-5 vote: Yeas 9, Nays 0; May 21, 2023, 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 a pilot project to provide emergency telemedicine  
 1-20 medical services and telehealth services in rural areas.

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

1-22 SECTION 1. Chapter 771, Health and Safety Code, is amended  
 1-23 by adding Subchapter F to read as follows:

1-24 SUBCHAPTER F. NEXT GENERATION 9-1-1 TELEMEDICINE MEDICAL SERVICES  
 1-25 AND TELEHEALTH SERVICES PILOT PROJECT

1-26 Sec. 771.151. DEFINITIONS. In this subchapter:

1-27 (1) "Center" means the area health education center at  
 1-28 the Texas Tech University Health Sciences Center that meets the  
 1-29 requirements of 42 U.S.C. Section 294a and has been awarded federal  
 1-30 funding as an area health education center.

1-31 (2) "Emergency medical services" means services used  
 1-32 to respond to an individual's perceived need for immediate medical  
 1-33 care and to prevent death or aggravation of physiological or  
 1-34 psychological illness or injury.

1-35 (3) "Emergency medical services provider" means a  
 1-36 person who uses or maintains emergency medical services vehicles,  
 1-37 medical equipment, and emergency medical services personnel to  
 1-38 provide emergency medical services.

1-39 (4) "Emergency prehospital care" means care provided  
 1-40 to a sick or injured individual before or during transportation of  
 1-41 the individual to a medical facility, and includes any necessary  
 1-42 stabilization of the individual in connection with that  
 1-43 transportation.

1-44 (5) "Pilot project" means a pilot project established  
 1-45 under Section 771.152.

1-46 (6) "Regional trauma resource center" means a trauma  
 1-47 facility the center selects to participate in the pilot project.

1-48 (7) "Rural area" means:

1-49 (A) a county with a population of 50,000 or less;  
 1-50 or

1-51 (B) a large, isolated, and sparsely populated  
 1-52 area of a county with a population of more than 50,000.

1-53 (8) "Telehealth service" and "telemedicine medical  
 1-54 service" have the meanings assigned by Section 111.001, Occupations  
 1-55 Code.

1-56 (9) "Trauma facility" means a health care facility  
 1-57 equipped and staffed to provide comprehensive treatment of  
 1-58 seriously injured individuals as part of an emergency medical  
 1-59 services and trauma care system.

1-60 Sec. 771.152. ESTABLISHMENT OF PILOT PROJECT. (a) The  
 1-61 commission, with the assistance of the center, shall establish a

2-1 pilot project to provide emergency medical services instruction and  
 2-2 emergency prehospital care instruction through a telemedicine  
 2-3 medical service or telehealth service provided by regional trauma  
 2-4 resource centers to:

2-5 (1) health care providers in rural area trauma  
 2-6 facilities; and  
 2-7 (2) emergency medical services providers in rural  
 2-8 areas.

2-9 (b) The commission shall provide technical assistance to  
 2-10 the center in implementing the pilot project.

2-11 (c) The center, with the assistance of the commission,  
 2-12 shall:

2-13 (1) design criteria and protocols for each  
 2-14 telemedicine medical service or telehealth service offered and the  
 2-15 related instruction, and provide the oversight necessary to conduct  
 2-16 the pilot project;

2-17 (2) define criteria to determine when a telemedicine  
 2-18 medical service or telehealth service that provides instruction for  
 2-19 emergency medical services, emergency prehospital care, and trauma  
 2-20 care should be transferred to an emergency medical resource center  
 2-21 for intervention; and

2-22 (3) collect the data necessary to evaluate the  
 2-23 project.

2-24 (d) The center may make available appropriate resources for  
 2-25 individuals who do not speak English.

2-26 Sec. 771.153. PERSONNEL. The center shall provide the  
 2-27 telemedicine medical service or telehealth service and related  
 2-28 instruction for the pilot project through health care providers in  
 2-29 regional trauma resource centers, including physicians,  
 2-30 pharmacists, emergency medical personnel, and other health  
 2-31 professionals.

2-32 Sec. 771.154. PARTICIPATION IN PILOT PROJECT. (a) The  
 2-33 center shall determine the trauma facilities and emergency medical  
 2-34 services providers interested in participating in the pilot  
 2-35 project.

2-36 (b) A trauma facility or emergency medical services  
 2-37 provider participating in the pilot project must agree to  
 2-38 successfully complete any required training and to provide all  
 2-39 reports required by the center for the project.

2-40 Sec. 771.155. SELECTION OF PILOT PROJECT PARTICIPANTS AND  
 2-41 REGIONAL TRAUMA RESOURCE CENTERS. (a) The center, with the  
 2-42 assistance of the commission, may select trauma facilities and  
 2-43 emergency medical services providers to participate in the pilot  
 2-44 project and select trauma facilities to serve as regional trauma  
 2-45 resource centers.

2-46 (b) The center may not select a trauma facility to  
 2-47 participate in the pilot project or to serve as a regional trauma  
 2-48 resource center unless the facility:

2-49 (1) has a quality assurance program that measures each  
 2-50 health care provider's compliance with the medical protocol;

2-51 (2) uses emergency medical services and emergency  
 2-52 prehospital care protocols approved by a physician medical director  
 2-53 knowledgeable in emergency medical services and emergency  
 2-54 prehospital care;

2-55 (3) has experience in providing emergency medical  
 2-56 services and emergency prehospital care that the center determines  
 2-57 is sufficient; and

2-58 (4) has resources sufficient to provide the additional  
 2-59 telemedicine medical services or telehealth services and related  
 2-60 instruction required for the project in addition to the health care  
 2-61 services the facility already provides.

2-62 (c) In selecting a trauma facility to serve as a regional  
 2-63 trauma resource center, the center shall consider the facility  
 2-64 personnel's ability to maintain records and produce reports to  
 2-65 measure the effectiveness of the pilot project. The center shall  
 2-66 share information regarding that ability with the commission.

2-67 Sec. 771.156. FUNDING OF PILOT PROJECT. (a) Money  
 2-68 collected under Section 771.072(f) may be appropriated to the  
 2-69 commission to fund the pilot project.

3-1 (b) The center may seek grants to fund the pilot project.

3-2 (c) A political subdivision with a trauma facility that  
3-3 participates in the pilot project may pay part of the project costs.

3-4 (d) If a sufficient number of political subdivisions in a  
3-5 region that may be served by the pilot project agree to pay the  
3-6 center an amount that together with other funding received under  
3-7 this section is sufficient to fund the project for the region, the  
3-8 center shall:

3-9 (1) contract with the political subdivisions for each  
3-10 subdivision to pay an appropriate share of the cost; and

3-11 (2) implement the project for the region when the  
3-12 amounts agreed to in the contracts and any other funding received  
3-13 under this section are sufficient to fund the project for the  
3-14 region.

3-15 Sec. 771.157. REPORT TO LEGISLATURE. The center, in  
3-16 cooperation with the commission, shall report its findings to the  
3-17 governor and the presiding officer of each house of the legislature  
3-18 not later than December 31, 2028.

3-19 Sec. 771.158. LIABILITY. The operations of the center and a  
3-20 regional trauma resource center are considered to be the provision  
3-21 of 9-1-1 services for purposes of Section 771.053. Employees of and  
3-22 volunteers at the regional trauma resource center have the same  
3-23 protection from liability as a member of the governing body of a  
3-24 public agency under Section 771.053.

3-25 Sec. 771.159. PROJECT WORK GROUP. (a) The center may  
3-26 appoint a project work group to assist the center in developing,  
3-27 implementing, and evaluating the pilot project and preparing a  
3-28 report on the center's findings.

3-29 (b) A member of the project work group is not entitled to  
3-30 compensation for serving on the project work group and may not be  
3-31 reimbursed for travel or other expenses incurred while conducting  
3-32 the business of the project work group.

3-33 (c) The project work group is not subject to Chapter 2110,  
3-34 Government Code.

3-35 Sec. 771.160. EXPIRATION. This subchapter expires  
3-36 September 1, 2029.

3-37 SECTION 2. Section 771.072(g), Health and Safety Code, is  
3-38 amended to read as follows:

3-39 (g) Notwithstanding any other law, revenue derived from the  
3-40 equalization surcharge imposed under this section may be  
3-41 appropriated to the commission only for the purposes described by  
3-42 Section 771.156 and Sections 773.122 through 773.124.

3-43 SECTION 3. This Act takes effect September 1, 2023.

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