

BILL ANALYSIS

Senate Research Center
79R8631 MSE-D

C.S.H.B. 1126
By: Uresti (Madla)
Health & Human Services
5/12/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

"Gurney cars" are vehicles with no medical equipment or that have no medically trained personnel and are exempted from coverage by the ambulance licensing laws. These types of vehicles are appropriate for non-emergency transfer of ambulatory persons or those using a wheel chair. However, there is concern that allowing the use of such cars to transport patients who are so ill as to require transport by stretcher compromises the individual's safety.

C.S.H.B. 1126 prohibits gurney cars from transporting stretcher-bound patients and prohibits the Department of State Health Services from licensing gurney cars as a type of ambulance.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

[While the statutory reference in this bill is to the Texas Department of Health, the following amendments affect the Department of State Health Services, as the successor agency to the Texas Department of Health.]

SECTION 1. Amends Section 773.004(a), Health and Safety Code, to amend the exception to this chapter for a ground transfer vehicle and staff used to transport a patient who is under a physician's care between medical facilities or between a medical facility and a private residence to include that this exception does not apply unless it is medically necessary to transport the patient using a stretcher. Deletes existing text providing that this chapter does not apply to ground transfer that does not advertise as an ambulance service and that is not licensed by the Texas Department of Health (TDH).

SECTION 2. Amends Section 773.042, Health and Safety Code, as follows:

Sec. 773.042. BASIC LIFE-SUPPORT EMERGENCY MEDICAL SERVICES PROVIDER QUALIFICATIONS. Amends existing qualifications for a basic life-support emergency medical services provider to include that a provider is capable of providing emergency and nonemergency transportation.

SECTION 3. Amends Section 773.057, Health and Safety Code, by adding Subsection (e), to require that all emergency medical services providers, in addition to any other qualifications that an emergency medical services provider must possess to obtain the type of license sought, possess the qualifications required for a basic emergency medical services provider under Section 773.042.

SECTION 4. (a) Provides that a person or vehicle that becomes subject to Chapter 773, Health and Safety Code, and rules adopted under that law as a result of the changes in law made by this Act, is not required to comply with Chapter 773 and applicable rules before June 1, 2006.

(b) Requires a person who is a licensed emergency medical services provider immediately before the effective date of this Act to meet the requirements of Section 773.042, Health and Safety Code, as amended by this Act, on renewing the license.

SECTION 5. Effective date: September 1, 2005.