

BILL ANALYSIS

Senate Research Center
82R22870 NAJ-D

H.B. 577
By: McClendon (Deuell)
Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Emergency services personnel who are first responders to an emergency outside of a hospital must quickly evaluate whether a patient needs immediate medical attention, life support measures, or rapid transport to the hospital. If such personnel are required to review, evaluate, and interpret written documents other than an out-of-hospital do-not-resuscitate (DNR) order, they could be prevented from attending to a patient's emergency medical needs at the scene or while traveling to a hospital.

H.B. 577 allows emergency personnel to focus on the immediate medical needs of a patient when responding to an emergency outside of the hospital environment by establishing that such personnel have no duty to review, examine, interpret, or honor a person's written directive other than certain out-of-hospital DNR orders and by providing for the termination of cardiopulmonary resuscitation on the order of certain physicians or an emergency medical services system's medical director or online physician.

H.B. 577 amends current law relating to emergency prehospital care provided by emergency services personnel.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 166.102(b), Health and Safety Code, as follows:

(b) Provides that, when responding to a call for assistance, emergency medical services personnel:

- (1) shall honor only a properly executed or issued out-of-hospital DNR order or prescribed DNR identification device in accordance with this subchapter; and
- (2) have no duty to review, examine, interpret, or honor a person's other written directive, including a written directive in the form prescribed by Section 166.033 (Form of Written Directive).

SECTION 2. Amends Subchapter A, Chapter 773, Health and Safety Code, by adding Section 773.016, as follows:

Sec. 773.016. DUTIES OF EMERGENCY MEDICAL SERVICES PERSONNEL; CERTAIN EMERGENCY PREHOSPITAL CARE SITUATIONS. (a) Defines, in this section, "cardiopulmonary resuscitation."

(b) Provides that emergency medical services personnel who are providing emergency prehospital care to a person are subject to Chapter 166 (Advance Directives), including Section 166.102 (Physician's DNR Order May Be Honored by Health Care Personnel Other Than Emergency Medical Services Personnel).

(c) Authorizes a physician, if a person's personal physician is present and assumes responsibility for the care of the person under the applicable requirements of Chapter 197 (Emergency Medical Service), Title 22 (Examining Boards), Texas Administrative Code, while the person is receiving emergency prehospital care, to order the termination of cardiopulmonary resuscitation only if, based on the physician's professional medical judgment, the physician determines that resuscitation should be discontinued.

(d) Provides that, if a person's personal physician is not present or does not assume responsibility for the care of the person while the person is receiving emergency prehospital care, the emergency medical services system's medical director or online physician:

(1) shall be responsible for directing the emergency medical services personnel who are providing emergency prehospital care to the person; and

(2) may order the termination of cardiopulmonary resuscitation only if, based on the medical director's or online physician's professional medical judgment, the medical director or online physician determines that resuscitation should be discontinued.

SECTION 3. Effective date: upon passage or September 1, 2011.