



TEXAS DEPARTMENT OF STATE HEALTH SERVICES

1100 West 49th Street • Austin, Texas 78756
P.O. Box 149347 • Austin, Texas 78714-9347
1-888-963-7111 • www.dshs.state.tx.us

DAVID L. LAKEY, M.D.
COMMISSIONER

October 26, 2007

Re: Notice of Legislative Changes to Chapter 773

Dear EMS Administrator:

I would like to make you aware of two bills that were passed by the 80th Texas Legislative Session that affects EMS Providers. Senate Bill 10 (SB-10) has a variety of health-related issues within its provisions, but Section 14 addresses patients being transported by a stretcher. This bill was signed into law on June 14, 2007 and became effective on September 1, 2007. House Bill 2827 (HB-2827), relating to the use of an epinephrine auto-injector or similar device for the treatment of anaphylaxis was signed into law June 16, 2007 and became effective immediately.

Section 14 of SB-10 alters Chapter 773, §§ 773.004 and 773.041, relating to Emergency Health Care, of the Texas Health and Safety Code. This change in the law establishes clear requirements on the transportation of bedridden patients and effectively outlaws the use of non-licensed, stretcher transport vehicles. Specifically, the bill states that people, organizations or entities "...may not transport a patient by stretcher in a vehicle unless the person holds a license as an emergency medical services provider." This amendment does not affect patients that travel via wheelchair or other non-stretcher devices.

HB-2827 amends Chapter 773, §§ 773.14 and 773.050 of the Texas Health and Safety Code. This change in the law will allow the administration of an epinephrine auto-injector by all department-certified EMS personnel, including an ECA. Section "g" of Chapter 773, § 773.050 stipulates "an emergency medical service vehicle to be equipped with an epinephrine auto-injector device or similar device for the treatment of anaphylaxis; and emergency medical services personnel to complete continuing education training in the administration of anaphylaxis treatment."

This information will be presented at the Governor's EMS and Trauma Advisory Council (GETAC) meeting in November during the State EMS Convention. We have drafted amendments to 25 Texas Administrative Code § 157.11, the provider rule that will be utilized to implement and enforce these requirements.

If you have any questions regarding this matter, please feel free to contact me at (512) 834-6700 or via e-mail at: maxie.bishop@dshs.state.tx.us

Sincerely,

A handwritten signature in cursive script that reads "Maxie Bishop".

Maxie Bishop, RN, LP
State EMS Director
Office of EMS and Trauma Services

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