

License Exemption: Emergency Medical Services Rural Practice

Tex. Health & Safety Code 773.0045

An emergency medical services provider who primarily practices in a rural area can be exempted from certain licensure provisions by the Department of State Health Services if requiring the specific provision would negatively affect the health or safety of the communities served by the rural emergency medical services provider.

Temporary Exemptions for Emergency Medical Services Personnel Practicing in Rural Area

(a) In this section, "rural area" means:

- (1) a county with a population of 50,000 or less; or
- (2) a relatively large, isolated, and sparsely populated area in a county with a population of more than 50,000.

(b) The department on a case-by-case basis may temporarily exempt emergency medical services personnel who primarily practice in a rural area from a requirement imposed either by Section 773.050 or 773.055 or by a department rule adopted under Section 773.050 or 773.055 if specific circumstances that affect the rural area served by the emergency medical services personnel justify the exemption. The department may temporarily exempt the emergency medical services personnel from a requirement imposed:

- (1) by a department rule adopted under Section 773.050 or 773.055 only if the department finds that, under the circumstances, imposing the requirement would not be in the best interests of the people in the rural area who are served by the emergency medical services personnel; and
- (2) by Section 773.050 or 773.055 only if the department finds that, under the circumstances, there is a

substantial risk that imposing the requirement will detrimentally affect the health or safety of one or more persons in the affected rural area or hinder the ability of emergency medical services personnel who practice in the area to alleviate a threat to the health or safety of one or more persons in the area.

(c) The exemption must be in writing, include the findings required by Subsection (b), and expire at a stated time.

The written findings must be accompanied by a concise and explicit statement that specifically describes the circumstances that support the finding.

(d) In granting the exemption, the department in writing must require the affected emergency medical services personnel or the appropriate emergency medical services provider to adopt a written plan under which the applicable requirement will be met as soon as possible.

(e) A temporary exemption under this section may allow emergency medical services personnel who are applicants for certification at a higher level of training to temporarily practice at the higher level.