



Physicians Caring for Texans

June 5, 2012

David De La Rosa, Legal Assistant  
Texas Medical Board  
P.O. Box 2018  
Austin, TX 78768-2018

Dear Mr. De La Rosa,

On behalf of the Texas Medical Association, thank you for the opportunity to comment on the proposed changes to Chapter 197, Section 197.3 of the Texas Medical Board rules relating to Off-line Medical Directors.

We recommend the following revisions to Section 197.13:

-strike new subsection (15). We are uncertain what TMB is attempting to regulate with inclusion of language prohibiting “back signing” of transfer orders. Without an understanding of the language in the rules, we request that it be removed. If there is a particular concern TMB is attempting to address through this language, we would be happy to discuss the issue further.

-Amend subsection (17)(A) to require “a minimum of two hours of formal continuing medical education” instead of 12 hours as proposed in the rule. Further, we suggest that the rest of the section be removed so that it reads:

(17) complete the following education requirements:

(A) within two years of initial notification to the board of holding the position as off-line medical director, ~~to~~ a **minimum of 2** hours of formal continuing medical education (CME) as defined under Sec. 166.2 of this title (relating to Continuing Medical Education) to include CME related to this chapter, ~~or board certification in Emergency Medicine by the American Board of Medical Specialties or the American Osteopathic Association Bureau of Osteopathic Specialists; and~~

-Amend (17)(B), we suggest that Emergency Medicine be changed to “Emergency Medical Services” so that the rule reads:

(B)...every two years after meeting the requirements of subparagraph (A), one hour of formal CME in emergency medicine **services**.

-Throughout the draft rule amendments, replace the word “entities” with “providers” so that the rule is consistent with language in the rules from the Department of State Health Services governing ambulance transport and first responders.

Lastly, we respectfully recommend that further consideration of the draft rules be delayed until September so that other stakeholders, such as the Governors EMS & Trauma Advisory Council (GETAC) and the Texas College of Emergency Physicians (TCEP), can discuss the draft rule changes at their summer meetings.

Thank you for your consideration. We look forward to continued discussions with you as the rulemaking process continues.

Sincerely,

Shkelzen Hoxhaj, MD, Chair  
TMA Committee on EMS & Trauma

cc: Dan Peckenpaugh, MD, FACEP, President, Texas College of Emergency Physicians  
Vance L. Riley, (Chair), Governor's EMS and Trauma Advisory Council  
Robert Greenberg, MD, FACEP, Chair, GETAC EMS Medical Directors' Committee