

Texas Health and Safety Code, Title IX - Safety
Chapter 773 - Emergency Medical Services
Section 773.012 - Advisory Council

§ 773.012. ADVISORY COUNCIL. (a) The governor shall appoint an advisory council to advise the board regarding matters related to the responsibilities of the board, commissioner, and department under this chapter. In making appointments to the advisory council, the governor shall ensure that approximately one-half of the members of the advisory council are residents of rural areas of the state.

(b) The advisory council is composed of the following 15 members appointed by the governor:

- (1) a board-certified emergency physician,
appointed
from a list of names recommended by a statewide professional
association of emergency physicians;
- (2) a licensed physician who is an emergency
medical
services medical director, appointed from a list of names
recommended by a statewide professional association of emergency
medical services medical directors;
- (3) a fire chief for a municipality that provides
emergency medical services, appointed from a list of names
recommended by a statewide fire chiefs association;
- (4) an officer or employee of a private provider
of
emergency medical services who is involved with the development
of
a Texas Trauma System, appointed from a list of names recommended
by
a statewide association of private providers of emergency medical
services;
- (5) a volunteer who provides emergency medical
services, appointed from a list of names recommended by a
statewide
association of volunteers;
- (6) an educator in the field of emergency medical
services;
- (7) a member of an emergency medical services air
medical team or unit, appointed from a list of names recommended
by
a statewide emergency medical services air medical association;
- (8) a representative of a fire department that
provides emergency medical services, appointed from a list of
names
recommended by a statewide association of firefighters;
- (9) a representative of hospitals who is
affiliated
with a hospital that is a designated trauma facility in an urban
community, appointed from a list of names recommended by a

statewide association of hospitals;

(10) a representative of hospitals, who is affiliated with a hospital that is a designated trauma facility in a rural community, appointed from a list of names recommended by a statewide association of hospitals;

(11) a representative of a county provider of emergency medical services;

(12) one licensed physician who is a pediatrician with trauma or emergency care expertise;

(13) one trauma surgeon or one registered nurse with trauma expertise; and

(14) two representatives of the general public who are not qualified to serve under another subdivision of this subsection.

(c) A person may not be a public member of the advisory council if the person or the person's spouse:

(1) is registered, certified, or licensed by a regulatory agency in the field of emergency medical services;

(2) is employed by or participates in the management

of a business entity or other organization regulated by or receiving money from the department;

(3) owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization regulated by or receiving money from the department; or

(4) uses or receives a substantial amount of tangible goods, services, or money from the department other than reimbursement authorized by law for advisory council membership, attendance, or expenses.

(d) In this subsection, "Texas trade association" means a cooperative and voluntarily joined association of business or professional competitors in this state designed to assist its members and its industry or profession in dealing with mutual business or professional problems and in promoting their common interest. A person may not be a member of the advisory council if:

(1) the person is an officer, employee, or paid consultant of a Texas trade association in the field of emergency medical services; or

(2) the person's spouse is an officer, manager, or paid consultant of a Texas trade association in the field of emergency medical services.

(e) A person may not be a member of the advisory council if

the person is required to register as a lobbyist under Chapter 305, Government Code, because of the person's activities for compensation on behalf of a profession related to the operation of the department.

(f) Members of the advisory council serve staggered six-year terms with the terms of five members expiring January 1 of each even-numbered year. A vacancy on the advisory council is filled in the same manner as the original appointment for the unexpired term.

(g) The governor shall appoint the presiding officer of the advisory council.

(h) A member of the advisory council serves without compensation. Chapter 2110, Government Code, does not apply to the size, composition, or duration of the advisory council.

(i) The advisory council shall meet at least quarterly in the city of Austin. The advisory council shall meet as provided by procedural rules adopted by the advisory council or at the call of the presiding officer. The advisory council may appoint committees it considers necessary to perform its duties.

(j) The advisory council periodically shall review board rules relating to this chapter and may recommend changes in those rules to the board. The board and the commissioner shall ensure that the advisory council is given adequate time and opportunity to review and comment on each rule proposed for adoption by the board under this chapter, including the amendment or repeal of an existing rule, but not including an emergency rule.

(k) The advisory council shall assess the need for emergency medical services in the rural areas of the state.

(l) The advisory council shall develop a strategic plan for:

(1) refining the educational requirements for certification and maintaining certification as emergency medical services personnel; and

(2) developing emergency medical services and trauma care systems.

Added by Acts 1999, 76th Leg., ch. 1411, § 19.01, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 874, § 2, eff. Sept. 1, 2001.