

- 1 Legend:
- 2 Single Underline = Proposed new language
- 3 Regular Print = Current Language
- 4 Blue = changes recommended by legal
- 5 Green = changes recommended by staff
- 6 (No change) = No changes are being considered for the designated subdivision

7

8 DRAFT §157.13 Fixed-wing Air Ambulance Operations

9

10 (a) Fixed wing aircraft operated by ~~a licensed~~ an emergency medical services (EMS) provider

11 licensed according to §157.11 of this chapter, shall be at the mobile intensive care level. Persons

12 or entities operating fixed wing air ambulances must direct and control the integrated activities of

13 both the medical and aviation components. Although the aircraft operator is directly responsible

14 to the Federal Aviation Administration (FAA) for the operation of the aircraft, one organization,

15 typically the one in charge of the medical functions, directs the combined efforts of the aviation

16 and medical components during patient transport operations.

17

18

19 (b) When being used as an ambulance, a fixed wing aircraft shall:

20

21

(1)-(6) (No change.)

22

23

(7) All aircraft, in accordance with the timeline specified in (7)(A)-(C) of this section,

24 shall have an environmental system capable of heating or cooling, in accordance with the

25 manufacturer specifications, within the patient compartment at all times when in service and

26 which allows for protection of medication, according to manufacturer specifications, from

27 extreme temperatures if it becomes environmentally necessary on all aircraft;

28

29

(A) new applicants for a fixed-wing air ambulance operation license shall have an

30 environmental system (heating and cooling) capable of heating or cooling, in accordance with

31 the manufacturer specifications, within the patient compartment at all times when in service;

32

33

(B) any new aircraft added to an existing fixed-wing air ambulance operation

34 license shall have an environmental system (heating and cooling) capable of heating or cooling,

35 in accordance with the manufacturer specifications, within the patient compartment at all times

36 when in service;

37

38

(C) all aircraft in the fleet of a fixed-wing air ambulance operation license, shall

39 have an environmental system (heating and cooling) capable of heating or cooling, in accordance

40 with the manufacturer specifications, within the patient compartment at all times when in

41 service within a 5 year period from the date the aircraft is authorized by the department;

42

43

(8)-(12) (No change.)

44

45

(c) (No change.)

46

47 (d) The fixed-wing air ambulance provider shall meet the responsibilities of EMS providers as in
48 §157.11(m) of this title (relating to Requirements for an EMS Provider License) and shall also:

49
50 (1)-(4) (No change.)

51
52 (5) allow visual and physical inspection of each vehicle/aircraft and of the equipment to
53 be used on each aircraft for the purpose of determining compliance with the vehicle and
54 vehicle/aircraft and equipment specifications within this section.

55
56 (e) The air ambulance provider shall designate or employ a medical director who shall meet the
57 following qualifications:

58
59 (1) A physician who is currently licensed in the state of Texas, in good standing with the
60 Texas State Board of Medical Examiners, in compliance Texas State Board of Medical
61 Examiners Rules, particularly regarding Emergency Medical Services as outlined in 22 TAC
62 197, and in compliance with Subtitle B of Title 3 of the Texas Occupations Code;

63
64 (2)-(4) (No change.)

65
66 ~~(5) shall comply with the requirements in Chapter 6, Medicine, Article 4495b, Medical~~
67 ~~Practice Act, §197.3 subparagraphs (a)(2) (7) and (b).~~

68
69 (f) The physician shall fulfill the following responsibilities:

70
71 (1)-(7) (No change.)

72
73 (8) maintain compliance with the requirements of the Texas Board of Medical Examiners
74 rules, particularly regarding Emergency Medical Services outlined in 22 TAC 197.3 and also
75 compliance with Subtitle B of Title 3 of the Texas Occupations Code.

76
77 (g) There shall be at least one Texas licensed or certified paramedic, registered nurse, or
78 physician on board ~~an~~ a fixed-wing air ambulance to perform patient care duties on that air
79 ambulance. The qualifications and numbers of air medical personnel shall be appropriate to
80 patient care needs. Medical personnel employed by providers who are based in another state do
81 not need Texas certification/licensure provided that they are appropriately licensed or certified as
82 medical personnel in their respective state. ~~but shall be certified/licensed in their respective state.~~

83
84 (1)-(4) (No change.)

85
86 (5) The fixed-wing air ambulance shall be operated by a piloted or pilots licensed or
87 certified, by the United States Federal Aviation Administration (FAA) and operated in
88 accordance with FAA regulations.

89
90 (h) Medical supplies, equipment, and medication shall be fully supportive of and consistent with
91 the service's scope of care as approved by the medical director. Medical equipment shall be
92 functional without interfering with the avionics nor should avionics interfere with the function of

93 the medical equipment. Additionally, the following equipment, clean and in working order, must
94 be on the aircraft or immediately available for all providers:

95
96 (1)-(11) (No change.)

97
98 (12) (A)-(F) (No change)

99 (G) a list signed by the medical director defining quantities and types of ~~drugs~~
100 medications to be carried; and

101
102 (H) (No change)

103
104 (13)–(14) (No change)

105
106 (15) The protocols shall have an effective date and an expiration date which correspond
107 to the inclusive dates of the provider's EMS license;

108
109 (i)-(j)(3) (No changes)