

Uniform Transportation Standards in Texas

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According to "House Bill 167, 82nd Legislature, 2011 amended Section 574.045 of the Texas Health and Safety Code", to approve and prioritize who is allowed to transport specific patients to approved mental health facilities.

Section 574.0455, which authorizes a county's commissioners court to keep a list of eligible transportation service providers who can be employed in place of certain recognized companies, was also included in the law.

The bill also authorizes the Texas Department of Health and Human Services to establish standardized standards that must be met in order for a person to be classified as a provider.

Minor modifications regarding who is allowed to transport patients were also introduced in House Bill 978, 83rd Legislature, 2013.

It was also discussed that Sections 574.045 and 574.0455 of the Texas Health and Safety Code, as well as the Texas Administrative Code, Title 25, Chapter 404, Subchapter E, apply to all people authorized by a county's commissioners court to provide transportation services to patients. These standards apply to the patient's transportation service proposed to the designated facility and the return of patients who are not admitted after initial assessment.

According to Section 573.026 of the Health and Safety Code, service providers must transport patients who are not admitted or the so-called outpatient medical transportation.

The prescribed uniform standards for qualified patient transport service providers are below.

Drivers must:

- Be at least 19 years old.
- Hold a valid driver's license issued by the state of Texas.
- Undergo a criminal background check and not have been convicted or received a deferred or probated sentence for any crime, which includes any sexual offense, drug-related offense, homicide, theft, assault, battery, or a crime involving personal injury or threat to another person.
- Ensure passengers are protected from harm, abuse, self-abuse, neglect, sexual incidents, serious injuries, and other sources of immediate danger.
- Be able to provide emergency care or have an established plan to get emergency care.
- Be trained in effective communication skills with people who have a mental illness.
- Recognize and plan for problematic behaviors in a therapeutic and safe manner.
- Know the statutes and standards for transporting patients.
- **Patient transportation** in a vehicle that:
 - Has a current, valid Texas inspection sticker.
 - Is well maintained and in good mechanical condition.
 - Must have a working air conditioner, heater, and chemical-type fire extinguisher that can hold at least one quart and is in the same compartment of the vehicle as to the driver.

Outpatient transportation services, Drivers or Contractors must:

- Ensure all drivers and vehicles meet the criteria above.
- Ensure all drivers complete Mental Health First Aid training or a similar program before they can transport patients to designated mental health facilities.
- Ensure their vehicles have a safety partition between the drivers and passenger areas.
- Equip the vehicle with safety locks to keep a patient from exiting a moving car.
- Equip the vehicle or driver with a two-way radio or cellular phone that works during the entire **hospital transport** period.

- Provide drivers with vehicles that meet the standards below if transporting patients in wheelchairs. Vehicles must have:
 - An electrical or hydraulically operated lift mechanism or ramp with a non-skid surface.
 - A means of securing a wheelchair to the inside of the vehicle to prevent any lateral, forward, backward or vertical motion of the wheelchair within the vehicle.
 - A rear-view mirror that lets the driver see any passenger in a wheelchair.
 - An emergency exit at the back of the vehicle.

Patients who are being transported have the following rights. These rights and safety concerns for psychiatric patients must be understood by drivers and contractors. Patients are entitled to:

- Be transported in a way that protects the person's dignity and safety.
- Except as provided in Title 25, Texas Administrative Code, Chapter 415, Subchapter F, no one may be physically restrained.
- Be given food and water, as well as access to a bathroom and any medical attention that is required.

A registered nurse must accompany the patient if it is reasonable to predict that he or she may require emergency medication or may need to be confined. Without a physician's order, a patient cannot be detained during transit.

Source: <https://www.hhs.texas.gov/providers/behavioral-health-services-providers/behavioral-health-provider-resources/uniform-transportation-standards>