



Texas hospitals support **Senate Bill 1876** by Sen. Borris Miles (D-Houston) and Sen. Joan Huffman (R-Houston), and **House Bill 3965** by Rep. Tom Oliverson (R-Houston).

During emergencies, many end stage renal disease facilities close their doors, leaving their patients with missed appointments and lack of access to needed dialysis care. While this is usually an issue caused by hurricanes and tropical storms, most recently this occurred during the unprecedented winter storm that struck Texas. When patients are unable to access their routine dialysis treatment, their conditions worsen, and they are generally forced to seek hospital care.



The Texas Hospital Association supports SB 1876 and HB 3965, legislation that would strengthen the requirements for end stage renal disease facilities to help **ensure patients seamlessly get the care they need during emergencies.**



SB 1876 and HB 3965 would help ensure patients have access to needed dialysis treatment in an emergency by addressing the following components:



- **Power.** Directs utilities to prioritize power to end stage renal disease facilities during an emergency, similar to hospitals, nursing homes, assisted living facilities and hospice facilities.



- **Definition.** Expands the definition of an emergency to include any incident likely to threaten the health, welfare or safety of facility patients, staff or the public, including fire, power outages and natural or other disasters.



- **Plans & Notifications.** Strengthens end stage renal disease facility emergency plans, including requiring end stage renal disease facilities to notify local emergency management authorities and hospitals with which they have transfer agreements prior to closing or reducing hours.



- **Backup Facilities.** Requires end stage renal disease facilities to execute contracts with alternate dialysis facilities to provide backup treatments to patients who are unable to receive their scheduled treatments due to a closure. The location of the backup facility must be within 100 miles of the original facility.



- **Disaster Response.** More fully integrates end stage renal disease facilities into state emergency response plans and coordination efforts, including requiring annual updates to state officials about facility contact information and emergency plans.

Patient-Centered Focus



A patient-centered focus is critical to ensure Texans receive the dialysis care they need in an emergency. **THA supports the following patient-specific components of SB 1876 and HB 3965:**



- **Care Continuity Plan for Patients**
Requires facilities to provide patients with a written “care continuity plan” to ensure patients have information on backup treatment and that facilities understand the transportation needs of each patient. **The goal of the plan is to ensure patients have information in advance about how to access care.**
- **Communications Plan for Patients**
Requires facilities to develop a patient communications plan that **includes notifications to patients when treatment may be interrupted, including specifics on how patients are contacted.**

Water & Generator Requirements

In addition, SB 1876 and HB 3965 would **require end stage renal disease facilities to address ongoing power and water needs** by either maintaining generators and water reserves to supply the facility with power and water for at least 24 hours or executing contracts with outside vendors to supply power and water on demand.

