

BILL ANALYSIS

Senate Research Center
81R24802 NC-F

H.B. 3717
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, students obtaining an entry-level physical therapy degree and out-of-state students who are in Texas temporarily for a seminar or conference are exempted from licensure requirements. All other physical therapists have to comply with the full licensure requirements.

This bill exempts from licensure requirements other physical therapists who may be practicing temporarily in the state, including physical therapists who practice with the Veterans Administration or armed forces, people practicing in a post-professional degree course, or a person providing care for a sports team or dance group. Many of the exemptions under this bill are consistent with how other states license and regulate physical therapists.

H.B. 3717 amends current law relating to exemptions from the requirement to hold a license to practice physical therapy.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 453.004(b), Occupations Code, as follows:

(b) Provides that this chapter does not apply to:

(4) a physical therapist who is licensed in another jurisdiction of the United States if the person is engaging, for not more than 90 days in a 12-month period and under the supervision of a physical therapist licensed in this state, in a special project or clinic required for completion of a post-professional degree in physical therapy from an accredited college or university, rather than a person practicing physical therapy and engaging in a special project in patient care while working toward an advanced degree from an accredited college or university; or

(5) a person who practices physical therapy or as a physical therapy assistant and who is:

(A) practicing physical therapy in the United States armed services, United States Public Health Service, or Veterans Administration in compliance with federal regulations for licensure of health care providers;

(B) licensed in another jurisdiction of the United States or credentialed to practice physical therapy in another country if the person is teaching, demonstrating, or practicing physical therapy in an educational seminar in this state for not more than 60 days in a 12-month period, or by contract or employment, is practicing physical therapy in this state for not more than 60 days in a 12-month period for an athletic team or organization or a performing arts company temporarily competing or performing in this state; or

(C) licensed in another jurisdiction of the United States, if the person notifies the board of the person's intent to practice in this state, and is practicing physical therapy for not more than 60 days during a declared local, state, or national disaster or emergency, or is displaced from the person's residence or place of employment due to a declared local, state, or national disaster and is practicing physical therapy in this state for not more than 60 days after the date the disaster is declared, rather than a physical therapist who does not live in this state, is licensed by the appropriate authority, and is in this state for a period not to exceed six months to attend an educational activity.

SECTION 2. Effective date: upon passage or September 1, 2009.